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Application No. UP-686-05

Premier Properties USA, Inc.

Application No. UP-686-05 is a request for a Special Use Permit to authorize establishment of a regional shopping center of approximately 730,482 square feet of gross floor area located on 175 Water Country Parkway and on a portion of 165 Water Country Parkway. The properties, containing an approximate total of 170 acres, are located at the southeast quadrant of the southern Humelsine Parkway (Route 199)/Interstate 64 interchange and south of Water Country Parkway (Route 640).

The staff is recommending approval.

Attachments:

- Staff report
- Zoning map
- Conceptual plans (9)
- Excerpt from Phase II archaeology report (large file)
- Applicant's historical resources summary
- Building elevations (15)
- Sign elevations (12)
- Applicant's main street cross-section
- Design review committee structure/design guidelines
- Staff amendments plan
- Proposed Resolution No. PC05-45

COUNTY OF YORK

MEMORANDUM

DATE: October 10, 2005 (PC Mtg. 10/12/05)

TO: York County Planning Commission

FROM: Amy M. Parker, Senior Planner

SUBJECT: Application No. UP-686-05, Premier Properties USA, Inc.

ISSUE

This application requests a Special Use Permit, pursuant to Sections 24.1-306 (Category 13, No. 2) and 24.1-466(h) of the York County Zoning Ordinance, to authorize establishment of a regional retail center comprised of approximately 730,482 square feet of gross floor area located on property at 175 Water Country Parkway (Assessor's Parcel No. 11-91) and on a portion of 165 Water Country Parkway (Assessor's Parcel No. 11-4-3). The properties, containing approximately 174 acres (portion of Parcel No. 11-4-3) and 3.67 acres (Parcel No. 11-91) are located at the southeast quadrant of the southern Humelsine Parkway (Route 199)/Interstate 64 interchange and south of Water Country Parkway (Route 640). The proposed development is subject to Special Use Permit review because it contains in excess of 80,000 square feet of floor area.

DESCRIPTION

- Property Owners: Busch Properties, Inc. (Parcel No. 11-4-3) and AJ Tanner, Trustee for Martin Land Trust (Parcel No. 11-91). Applicant is contract purchaser.
- Location: 175 & 165 (portion) Water Country Parkway (Route 640)
- Area: Approximately 178 acres
- Frontage: Approximately 430 feet on Water Country Parkway, 3,400 feet on I-64, 1,900 on Route 199
- Utilities: The property can be served by public water and sewer
- Topography: Varied
- 2015 Land Use Map Designation: Economic Opportunity
- Zoning Classification: EO – Economic Opportunity
HRM – Historic Resources Management overlay
- Existing Development: None

- Surrounding Development:

North: Water Country USA water park; Days Inn and President's Park (across Route 199)
East: U.S. Naval Weapons Station
South: Williamsburg Country Club (across I-64)
West: Penniman East and Country Club Acres residential subdivisions (across I-64)

- Proposed Development: Approximately 730,482-square foot retail center

CONSIDERATIONS/CONCLUSIONS

1. The applicant proposes to develop approximately 178 acres of land for a retail center containing approximately 730,482 square feet of floor space. The proposal is the first phase of a planned two-phase project that will eventually cover approximately 236 acres of land. The complex consists of several single- and multi-tenant buildings connected by common parking areas and traffic aisles. A proposed state road circling the perimeter of the site would provide access from Route 199 and the I-64 Grove Interchange ramp.
2. The *Comprehensive Plan* designates this area for Economic Opportunity, which is intended to promote a mix of commercial, tourist-related, and limited industrial uses, with emphasis placed on capital- and labor-intensive uses. Existing land uses in the area of the subject site include a hotel, a water park, a military base, an outdoor museum, a country club/golf course, and residential subdivisions. Surrounding zoning includes a mix of EO, RC (Resource Conservation), R20 (Medium-density single-family residential), and R13 (High-density single-family residential).
3. The property is subject to requirements of the Chesapeake Bay Protection Act. The property's eastern and northern boundaries border King Creek, and the central area of the property contains wetlands associated with Whiteman Swamp. Wetlands on the site would be disturbed by filling of two small wetland areas on the southern side of the proposed retail area and by a road crossing at the eastern end of the site. Prior to site plan approval, wetlands permits from the County and approvals would be required from the Army Corps of Engineers for proposed land-disturbing activities in wetland areas. A proposed approval condition addresses this concern.

Water quality and storm water runoff are of substantial concern in this area. The applicant's plans indicate that approximately 85 to 90% of the area to be developed would contain impervious area. Several storm water management ponds are proposed around the perimeter of the development site, and preliminary review of the plans by Environmental and Development Services staff indicate that proposed storm water management measures appear to be adequate. Further technical review of detailed storm water management and erosion and sediment control plans would be initiated during the site plan review approval process.

4. The site is also subject to the HRM (Historic Resources Management) overlay district. The property contains several complex archaeological sites, three of which have been identified as eligible for nomination to the National Register of Historic Places (NRHP) in accordance with the National Historic Preservation Act. The applicant has submitted a Phase II archaeological report that describes the noted historic resources present on the site and provides recommendations for future actions (avoidance or Phase III recovery) for the NRHP-eligible sites. Resources found within these sites include remains of an 18th century mill complex, a colonial-era brick kiln, Civil War-era gun emplacement/redoubt and winter huts, intact remains of the Williamsburg-Yorktown Road, and an eighteenth century slave quarter site. Copies of the management summary and recommendations sections of the report are attached.

The applicant has submitted a proposal outlining historic resources preservation actions for a portion of the sites identified in the referenced Phase II archaeological report. The redoubt and the majority of the mill site complex would be preserved in-place under an easement to be dedicated to the County or other relevant preservation agency. Given the close proximity of the proposed state road to the redoubt, staff is recommending that a 50-foot undisturbed buffer zone separate the redoubt and any construction or disturbance associated with the road. Relocation of the proposed road may be required to avoid this feature and provide the recommended separation. The applicant also proposes to preserve approximately 900 feet of the 2,600-foot long section of the Williamsburg-Yorktown Road located at the eastern end of the property. The noted slave quarter site would not be preserved in place. However, in accordance with Zoning Ordinance regulations, a Phase III archaeological study would be required on this site as well as on the small portion of the mill quarter site that would be impacted by development of the proposed state road, retail buildings, and parking lots.

A Phase III archaeological study would entail the removal, documentation, and archiving of all artifacts found within the site. The fragile nature of such artifacts requires that they be stored in a building structurally designed to accommodate antiquities. The applicant has proposed to construct some type of building to house and interpret the artifacts within the noted preservation easement area. Staff is of the opinion that preservation of the artifacts would best be served by archiving them in an existing specialized manned repository, either locally or at the VDHR facility in Richmond, where they would be available for public exhibit and research purposes. The interpretive building proposed by the applicant could still be developed for public education purposes and could house various displays, information about the history of the property, and, with coordination with the repository of the artifacts concerning display and security requirements, perhaps some representative samples/exhibits. Staff is recommending that development of the building, including location, size, architecture, and interior design, be developed in coordination with staff from the County, VDHR and the Virginia Association of Museums (non-profit public service historic preservation agency). A proposed approval condition addresses this issue.

5. The design guidelines submitted with the application are very general. While it is recognized that flexibility is necessary in order to accommodate a variety of tenants in a large project such as this, the written material, renderings and photographic examples, and an architectural review process controlled by the applicant, are not sufficient, in staff's opinion, to accomplish the architectural design objectives of the Special Use Permit process applicable to "big box"/large-scale retail structures. Absent specific and detailed renderings on a building-by-building basis (prior to SUP approval) and a commitment that the style, materials and colors depicted by those renderings will be used in actual construction, further participation in the design process by the County will be necessary, in staff's opinion. Accordingly, staff recommends that a Design Review Committee be established in accordance with the provisions outlined in the attachment to this memorandum entitled Design Review Committee Structure, dated October 6, 2005. Additionally, staff recommends that this Design Review Committee be charged with reviewing architectural and design features of the project using the Design Guidelines (also attached), dated October 6, 2005. The recommended design review process will provide an opportunity for input and oversight during the development of the project as well as an ongoing review mechanism for any future modifications or alterations to existing structures.
6. The proposed 760,646 square feet of retail space is projected to generate a total of 22,603 average daily vehicle trips, including 463 in the AM peak hour and 2,133 in the PM peak hour. Proposed access to the development would be via a new access road running from the I-64/Grove interchange ramp to Route 199 at Water Country Parkway. The existing entrance to Water Country USA would be relocated further to the north (away from I-64). Currently the Grove interchange does not provide any access to the large EO-zoned area on the east side of I-64, which the County has targeted for major economic development. Throughout the planning and design phases of the Grove Interchange project, the County expressed to VDOT its concern about the lack of interstate access to this largely undeveloped property, but its efforts to persuade VDOT to provide such access were not successful. The proposed "Grove Interchange North Access Road" would address this deficiency, alleviating congestion at the existing Route 199/I-64 interchange by enabling westbound vehicles on I-64 to access this area – including not just the Premier Properties site but also other development along Route 199, such as Water Country USA and the Kings Creek Plantation timeshare resort – via the Grove interchange. Other business sites targeted for future development along the Route 199/Penniman Road corridor – apart from the 233-acre Premier Properties site – include the 140-acre Busch Commerce Park, the 104-acre Busch Industrial Park, the 280-acre Egger tract, and the 65-acre Kings Creek Commerce Center, while approximately 1,200 additional timeshare units are planned in Kings Creek Plantation. Without the Grove Interchange North Access Road, it is unlikely that the Route 199 interchange will be able to accommodate the forecasted traffic volumes while maintaining an acceptable level of service, particularly in the PM peak hour.

The proposed connection to the interstate ramp requires approval of an Interchange Justification Request by the Federal Highway Administration

(FHWA). The role of the Virginia Department of Transportation (VDOT) in this process is to provide guidance in producing a document that will provide the FHWA the information necessary to fully evaluate the request as well as to provide a recommendation of support to the FHWA. The developer has been working with VDOT and the County to identify and address potential access, circulation, and safety issues that could potentially be raised by the FHWA in its review of the interchange request. In these discussions VDOT has indicated that the interchange connection might be acceptable if the existing ramp from westbound I-64 to northbound Route 199 is eliminated as part of the proposed access road project. This would further relieve pressure on the Route 199 interchange by diverting westbound traffic to the Grove interchange.

To preserve the capacity of Route 199 and surrounding roadways, staff has proposed a condition of approval to require the project to be scaled back in size in the event that traffic modeling shows that the road network will not be able to accommodate the proposed amount of retail development without reducing the level of service below an acceptable level (LOS C). Similarly, staff has proposed a condition requiring the applicant to demonstrate the adequacy of Route 199 as the sole point of access to the development in the event that FHWA either does not approve the Grove Interchange North Access Road or has not completed its review at the time of detailed design and engineering for the project.

7. Staff is of the opinion that additional parking islands to prevent unsafe diagonal movement across the parking areas are needed, and an attached sketch plan delineating additional islands is attached and referenced in the proposed approval conditions.
8. The applicant has submitted several renderings for proposed freestanding signage throughout the complex. With the exception of the proposed 10-foot high Target monument sign, all proposed signs exceed minimum Zoning Ordinance height and area requirements, and the number of internal freestanding identification signs exceeds Ordinance limitations. In accordance with Ordinance Sections 24.1-702(k) and 24.1-703(a), only one freestanding sign is permitted for each street frontage and such sign cannot exceed 64 square feet in area. Accordingly, only three signs would be permitted around the perimeter of the property, one each for Route 199, I-64, and Water Country Parkway. Section 24.1-707(r) allows for interior free-standing directional signs provided, 1) they are not legible from public right-of-way, 2) they do not exceed 32 square feet in size and, 3) their location is limited to one such sign for each lot or each major sub-area of the complex. An approval condition addresses these issues.
9. Proposed plans indicate extensive tree clearing around the western border of the site. A 45-foot greenbelt buffer is required for the Route 199 frontage under the basic terms of the Zoning Ordinance, and staff is recommending this landscape buffer be maintained along the I-64 frontage (both the exit ramp and the mainline Interstate) as well. An approval condition addresses this issue.

10. Plan sheet C2.2 indicates proposed pedestrian connections across the complex. Staff is of the opinion that additional connections are needed to afford safe pedestrian circulation along the major access ways within the complex. Staff is recommending that pedestrian access ways be designed as a combined 10-foot wide landscape and sidewalk island with a minimum 6-foot wide unbroken planting area and minimum 4-foot wide sidewalk for the majority of the access ways. For the main, centrally located east-west access across the site staff recommends a minimum 15-foot island containing a sidewalk at least 5 feet wide and a minimum 10-foot landscape area. A sketch plan diagramming the recommended access ways and an associated approval condition are proposed to address this issue.
11. The proposed development will generate significant new tax revenue and create thousands of new jobs for York County. The County has engaged MuniCap Inc., a public finance consultant, to assess the economic impact of a project of this magnitude. This level of scrutiny is required since a portion of the tax revenue will be utilized to pay debt service on bonds that will support the construction of project-related public infrastructure. Revenue will be generated by real property, personal property, sales, BPOL, and meals taxes. The project will create approximately 3,000 retail positions and 900 construction jobs in Phase I.

Assuming the project opens in March of 2008, the first two years of tax revenue will be totally consumed by the bond debt service. In 2011 the County will receive \$365,965 in total tax revenue after paying the bond debt service. This amount increases each year until 2017 when the bonds are fully paid and the County receives all of the tax revenue. The average annual revenue for the County during the bond payment period is \$635,135. In 2017 the County will receive all of the tax revenue estimated to be \$5,423,581. The annual tax revenue projection is extended to 2032 and is estimated to be \$8,531,868. The net incremental revenues to York County through FY 2032 are estimated to be \$116,963,705 with a net present value of \$48,170,825.

RECOMMENDATION

As noted above, the *Comprehensive Plan* designates this entire quadrant of the Route 199/I-64 interchange for Economic Opportunity development. The applicant has submitted an ambitious plan that would provide for a cohesive, master-planned development approach – which, in staff's opinion, is much preferable to proposals that might result in the acreage being developed in a piecemeal fashion where the land is carved up into small, individually available commercial parcels. The Special Use Permit process established several years ago for large-scale retail uses provides an appropriate mechanism for the County to ensure that the project is designed and developed in a manner that is sensitive to the environment, to the historic resources on the site, to the transportation and infrastructure support requirements, and to the Board of Supervisors' overall objectives to promote economic development. Based on these considerations, and the discussion noted above, staff recommends that the Planning Commission forward this application to the Board of Supervisors with a recommendation for approval, subject to the conditions recommended in the attached Resolution No. PC05-45.

Attachments:

- Zoning Map
- Conceptual Plan
- Excerpt from Phase II archaeology report
- Applicant's historical resources summary
- Building Elevations
- Sign Elevations
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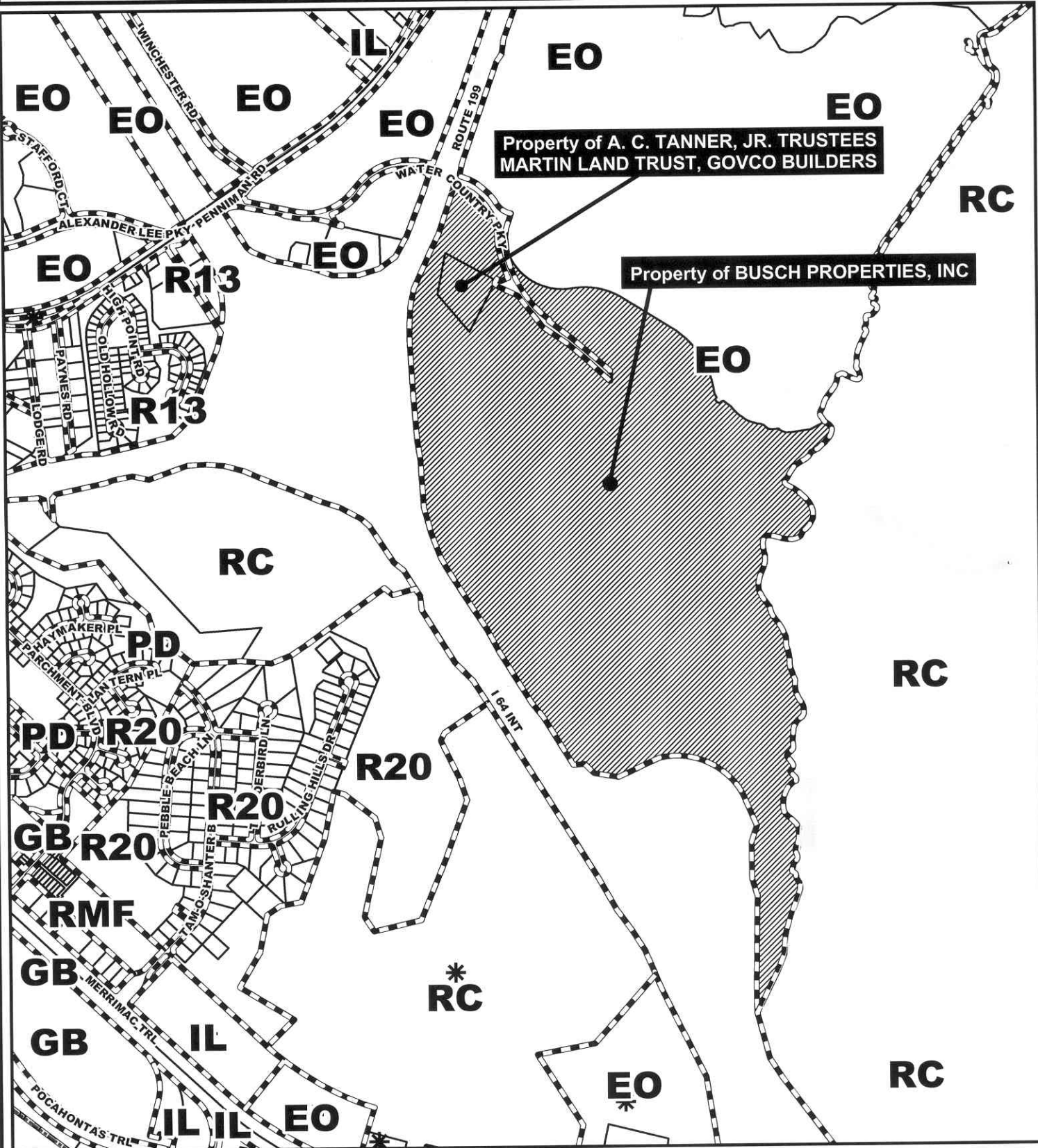
APPLICANT

Premier Properties USA, Inc.

To authorize Phase 1 of a proposed retail complex
I13c-0012-1173, H13b-3795-3227

ZONING MAP

APPLICATION NUMBER: UP-686-05



* = Conditional Zoning

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Feet

Printed on September 21, 2005



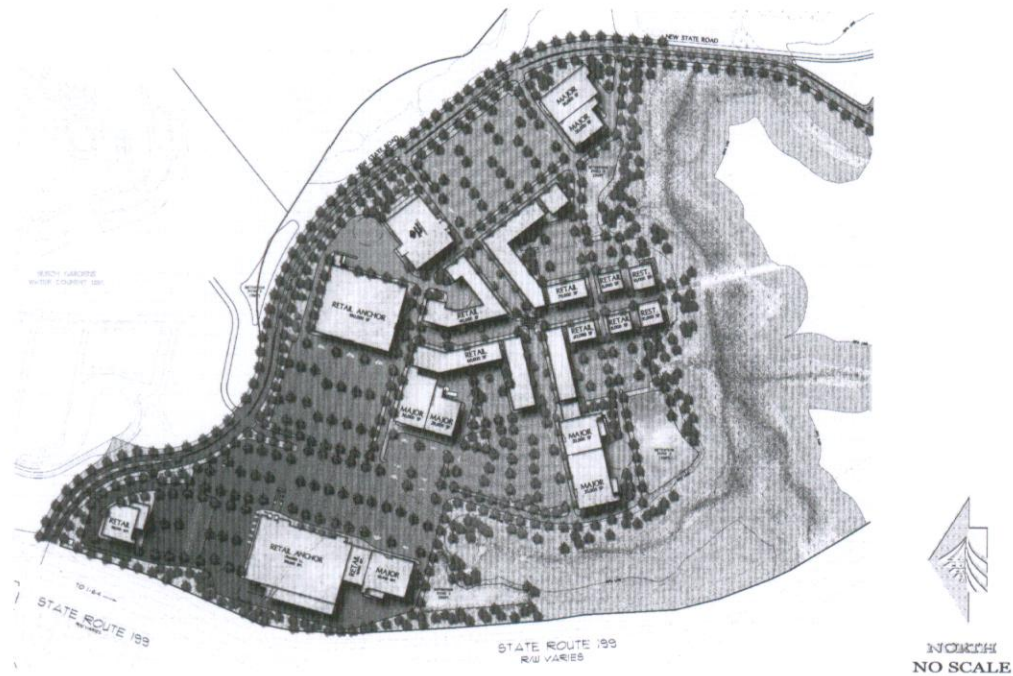
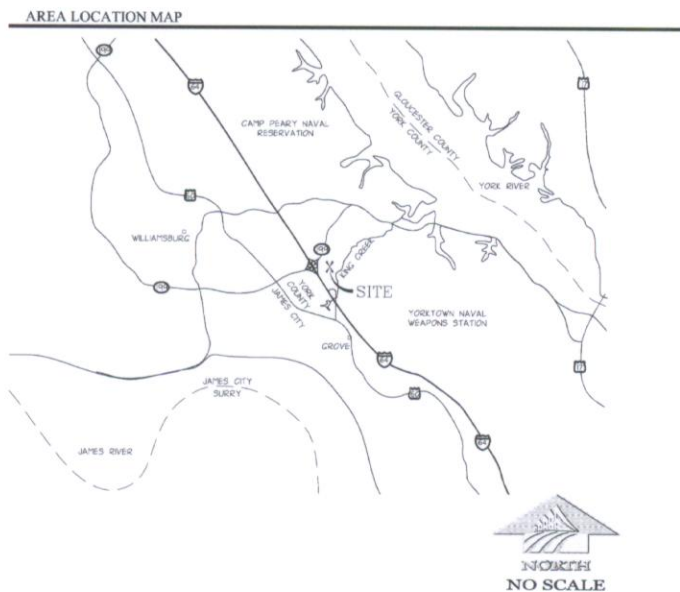
LIBRARY TILE NUMBER:

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SOURCE: YORK COUNTY
GIS PARCEL DATA and
ZONING COVERAGE

THIS IS NOT A LEGAL PLAT.
This map should be used for
information purposes only. It is
not suitable for detailed site planning.

THE MARQUIS YORK COUNTY, VIRGINIA



RECEIVED





OCT 3 2005

PLANNING DIVISION
COUNTY OF YORK

ABBREVIATIONS

D	Angle	INSZ	Insulation
E	As	INV	Waters Elevation
EOE YR	QOE Top Floor Elevation	L	Level
E.A.	Area	L.F.	Load Feet
E.C.	Area Drop	L.P.	Pump / Liquid Penetration
E.CS	Area Containment Unit	L.SU	Local Government Unit
EAD	Address	LONG	Longitude
AAU	Adjutant	LIGHT	Lighting
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DRAWING SYMBOLS

SYMBOL	DESCRIPTION
	NOTE REFERENCE
	PARKING STALL COUNT
	CALL OUT DETAIL
	REVISION - ADDENDUM, BULLETIN, ETC

SITE SYMBOLS

EXISTING	NEW	DESCRIPTION
		CONTOUR
		SPOT ELEVATION
		BUILDING
		RAILROAD
		CONCRETE
		BITUMINOUS PAVING
		CONCRETE CURB
		EDGE OF PAVEMENT
		SLOPE DIRECTION
		FENCING
		GUARD RAIL
		MODULAR RETAINING WALL
		BOULDER RETAINING WALL
		TREES/SHRUBS
		SOIL BORING
		DOORWAY
		LIGHT STANDARD
		UTILITY POLE
		BOLLARD
		DENOTES EXISTING TREE LEGS:

EROSION CONTROL SYMBOLS

SYMBOL	DESCRIPTION
	SEDIMENT CONTROL FENCE (STANDARD)
	SEDIMENT CONTROL FENCE (HEAVY DUTY)
	TEMPORARY SEDIMENT PROTECTION

UTILITY SYMBOLS

SYMBOL	DESCRIPTION
	NEW STORM SEWER
	NEW SANITARY SEWER-WASTE
	NEW FORCE MAIN
	NEW ROOF DRAIN SYSTEM
	NEW WATERMAIN
	NEW FIRE LINE (IF SEPARATE)
	NEW FIRE DEPARTMENT CONNECTION
	NEW DOMESTIC WATER SERVICE
	NEW GALLERY & END SECTION
	NEW GAS LINE
	NEW SOL SUBDRAN
	NEW ELECTRIC-OVERHEAD
	NEW ELECTRIC-UNDERGROUND
	NEW TELEPHONE-OVERHEAD
	NEW TELEPHONE-UNDERGROUND
	NEW LAMP SPINDLER SLEEVE
	NEW SITE LIGHTING

SURVEY SYMBOLS

- DENTURES ? INCH-BY 6 INCH-IRON TONNUS
- SET AND CAPRED WITH A PLASTIC CAP
- STAPPED LIND CORNER 177AS.
- ○ ○ ○ STAINLESS HOUND IRON NONPENT
- ? GUARD POST
- ○ ○ ○ SICK
- ○ ○ ○ UTILITY POLE
- ? PETER
- ○ ○ ○ GUT WIRE
- ○ ○ ○ STREET LIGHT
- ○ ○ ○ UTILITY BOX
- ○ ○ ○ SANITARY SEWER MANHOLE
- ○ ○ ○ CATCH BASIN
- ○ ○ ○ GATE VALVE
- ○ ○ ○ FIRE HYDRANT
- ○ ○ ○ WASTE MANHOLE
- ○ ○ ○ OVERHEAD UTILITY LINES
- ○ ○ ○ UNDERGROUND ELECTRIC
- ○ ○ ○ UNDERGROUND TELEPHONE
- ○ ○ ○ UNDERGROUND GAS
- ○ ○ ○ UNDERGROUND CABLE/TV
- ○ ○ ○ WATERMAIN
- ○ ○ ○ SANITARY SEWER
- ○ ○ ○ STORM SEWER

ZONING

CURRENT ZONING - EO "ECONOMIC OPPORTUNITY"
PROPOSED ZONING - COMMUNITY AND SPECIALTY CENTERS

ENVIRONMENTAL

WILLIAMSBURG ENVIRONMENTAL GROUP, INC.
3000 EASTER CIRCLE
WILLIAMSBURG, VA 23188
(757) 220-6869 fax (757) 229-4507

GEOTECHNICAL

ECS MID-ATLANTIC, LLC
108 INGRAM ROAD
UNIT 1
WILLIAMSBURG, VA 23188
(757) 229-6677 fax (757) 229-9978

CIVIL WAR EXPERT

JOHN QUARSTEIN
9285 WARWICK BLVD.
NEWPORT NEWS, VA 23607
(757) 247-8523

ARCHAEOLOGY

JAMES RIVER INSTITUTE FOR ARCHAEOLOGY
223 MCLAWS CIRCLE
SUITE 1
WILLIAMSBURG, VA 23185
(757) 229-9485 fax (757) 229-8277

TRAFFIC ENGINEER

DRW CONSULTANTS, INC.
2319 LATHAM PLACE
MIDLOTHIAN, VA 23113
(804) 794-7312 fax (804) 379-3810

CIVIL SHEET INDEX

C0.1 CIVIL COVER SHEET
C1.1 EXISTING CONDITIONS PLAN
C1.2 HISTORICAL RESOURCES PRESERVATION PLAN
C1.3 TREE PRESERVATION PLAN
C2.0 PRELIMINARY PHASING PLAN
C2.1 PRELIMINARY SKETCH PLAN
C2.2 PRELIMINARY INTERNAL CIRCULATION PLAN
C3.1 PRELIMINARY DRAINAGE ANALYSIS
C3.2 STEEP SLOPES ANALYSIS

OWNER

PREMIER PROPERTIES
5252 E. 82nd ST.
SUITE 300
INDIANAPOLIS, IN 46250
(317) 558-9900 fax (317) 558-5252

ARCHITECT

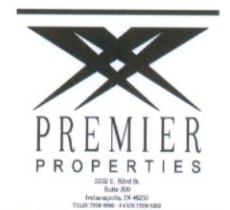
JPra Architects
31000 Northwestern Highway
Suite 100
Farmington Hills, MI 48334
(248) 737-0180 fax (248) 737-9161

CIVIL ENGINEER

LANDFORM
510 FIRST AVENUE NORTH
SUITE 650
MINNEAPOLIS, MN 55403
(612) 252-9070 fax (612) 252-9077

SURVEYOR/CIVIL ENGINEER (OFFSITE)

LANDMARK DESIGN GROUP
4029 IRONBOUND ROAD
SUITE 100
WILLIAMSBURG, VA 23186
(757) 253-2975 fax (757) 229-0049



S.U.P. RE-SUBMITTAL
SEPTEMBER 30, 2005

FILE NAME	COO1P02.DWG
PROJECT NO.	PPU05002
CIVIL TITLE SHEET	

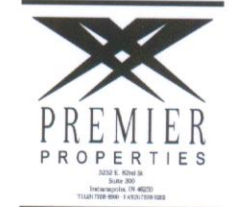
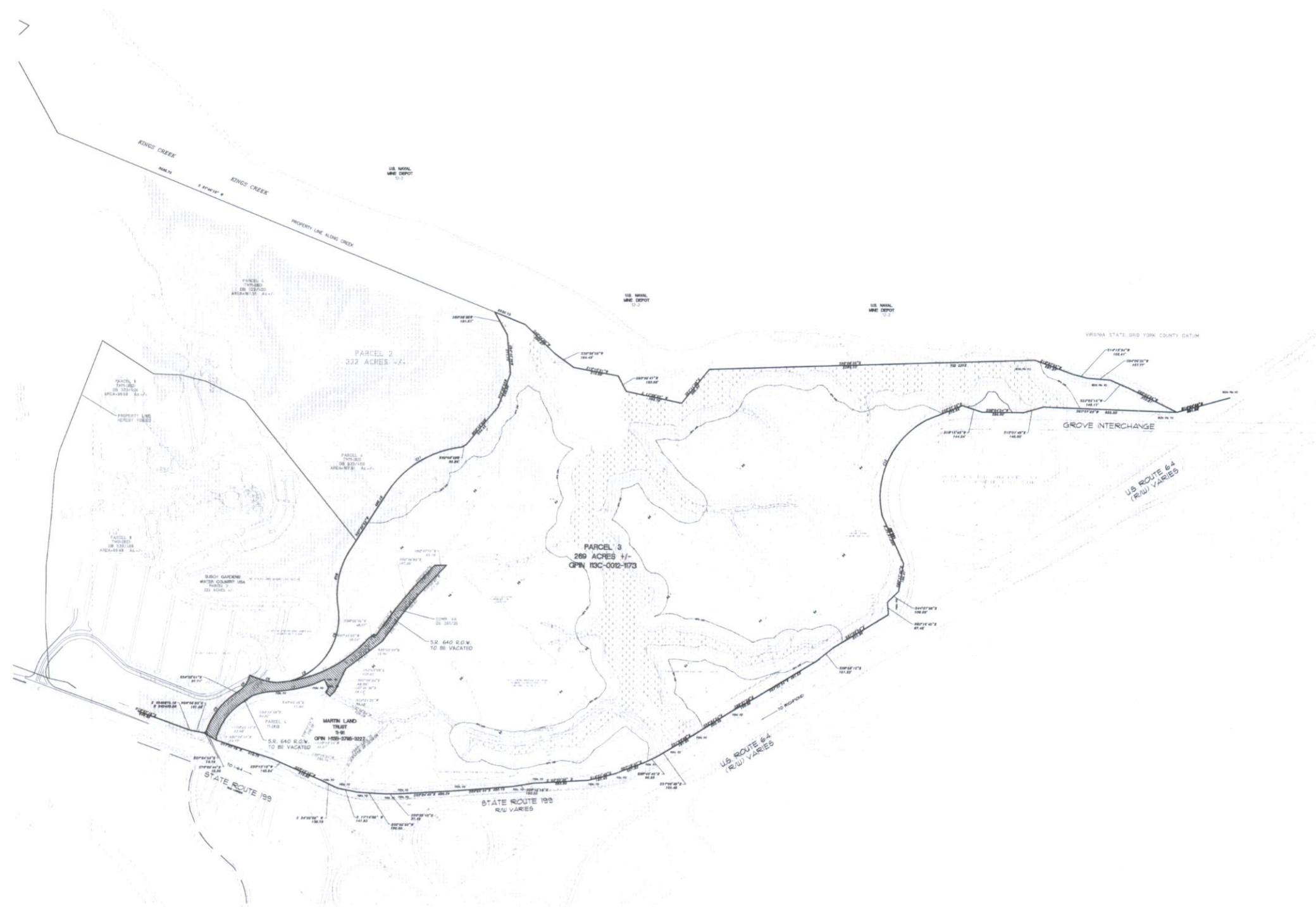
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GENERAL NOTES

1. BACKGROUND INFORMATION TAKEN FROM ROADWAY AND TOPOGRAPHY SURVEY PERFORMED BY LANDFORM DESIGN GROUP, WILLIAMSBURG, VIRGINIA, EXPRESSLY FOR THE PROJECT. ADDITIONAL UTILITY INFORMATION SHOWN WAS PROVIDED BY YORK COUNTY AS-BUILT DRAWINGS AS WELL AS INFORMATION PROVIDED BY INDIVIDUAL UTILITY COMPANIES. LANDFORM OFFERS NO WARRANTIES, EITHER EXPRESSED OR IMPLIED, AS TO THE ACCURACY OF INFORMATION PROVIDED BY OTHERS. ANY AND ALL FIELD CONDITIONS AND UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE NOTED, THE ENGINEER SHOULD BE IMMEDIATELY NOTIFIED FOR RESOLUTION.

EXISTING CONDITIONS NOTES

2. DELINEATED PORTION OF SR 640 WILL BE VACATED AT THE OF SUBDIVISION PLAT. COORDINATION OF MARTIN LAND PARCEL AND THE MARQUIS PARCEL WILL ELIMINATE THE NEED FOR THIS ACCESS.



KEY PLAN



CIVIL SHEET INDEX

SHEET	TITLE
C1.1	CIVIL SHEET INDEX
C1.2	EXISTING CONDITIONS PLAN
C1.3	PROPOSED ROADWAY PRESERVATION PLAN
C1.4	PROPOSED PAVING PLAN
C1.5	PROPOSED RETAINING WALL
C1.6	PROPOSED SPECIAL CIRCULATION PLAN
C1.7	PROPOSED SPECIAL ANALYSIS
C1.8	STREET SLOPE ANALYSIS

RECEIVED

OCT 3 2005

PLANNING DIVISION
COUNTY OF YORK

DATE	REVISION	BY
10/30/2005	REVISED S.U.P. SUBMITTAL	DN

PROJECT MANAGER REVIEW
DATE: 10/30/2005
CERTIFICATION

IF THE READER DIRECTLY ABOVE DOES NOT CONTAIN A SIGNATURE, THE SHEET HAS BEEN REPRODUCED WITHOUT THE NECESSARY AUTHORITY. PLEASE CONTACT THE ENGINEER TO OBTAIN ADDITIONAL DOCUMENTS.

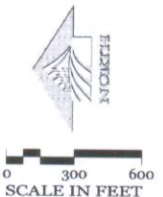
REVISED S.U.P. SUBMITTAL
SEPTEMBER 30, 2005

PROJECT
THE
MARQUIS
YORK COUNTY, VA

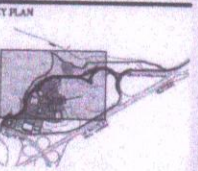
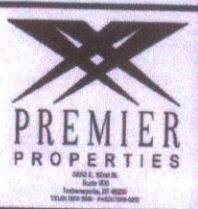


FILE NAME:	C:\P0202.DWG
PROJECT NO.:	PPL00002

EXISTING CONDITIONS
PLAN
C1.1



BACKGROUND INFORMATION TAKEN FROM BOUNDARY AND COINCIDENT SURVEY PREPARED BY LANDFORM DESIGN GROUP, WILLIAMSBURG, VIRGINIA, EXPRESSLY FOR THE PROJECT. ADDITIONAL UTILITY INFORMATION SHOWN WAS PROVIDED BY YORK COUNTY AS-BUILT DRAWINGS AS WELL AS INFORMATION PROVIDED BY INDIVIDUAL UTILITY COMPANIES. LANDFORM DESIGN HAS VISUALLY REVIEWED THE DRAWING AS TO THE ACCURACY OF INFORMATION PROVIDED BY OTHERS. ANY AND ALL FIELD CONDITIONS AND UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE NOTED, THE ENGINEER SHOULD BE IMMEDIATELY NOTIFIED FOR RESOLUTION.



CIVIL SHEET INDEX

NO.	TITLE
001	CONCEPT PLAN
002	PRELIMINARY ENGINEERING PLAN
003	PRELIMINARY ENGINEERING PLAN
004	PRELIMINARY ENGINEERING PLAN
005	PRELIMINARY ENGINEERING PLAN
006	PRELIMINARY ENGINEERING PLAN
007	PRELIMINARY ENGINEERING PLAN
008	PRELIMINARY ENGINEERING PLAN
009	PRELIMINARY ENGINEERING PLAN
010	PRELIMINARY ENGINEERING PLAN

REVISION HISTORY

NO.	DATE	DESCRIPTION
1	09/30/05	REVISED S.U.P. SUBMITTAL

PROJECT MANAGER REVIEW

NO.	DATE	DESCRIPTION
1	09/30/05	REVISED S.U.P. SUBMITTAL

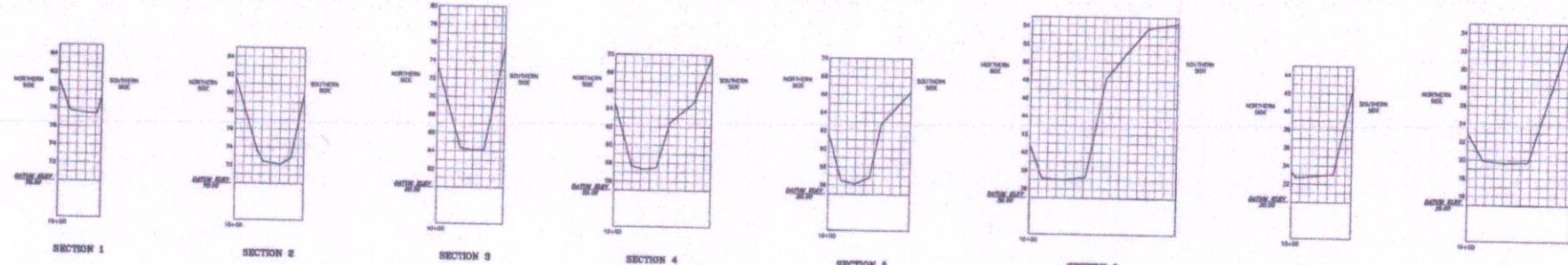
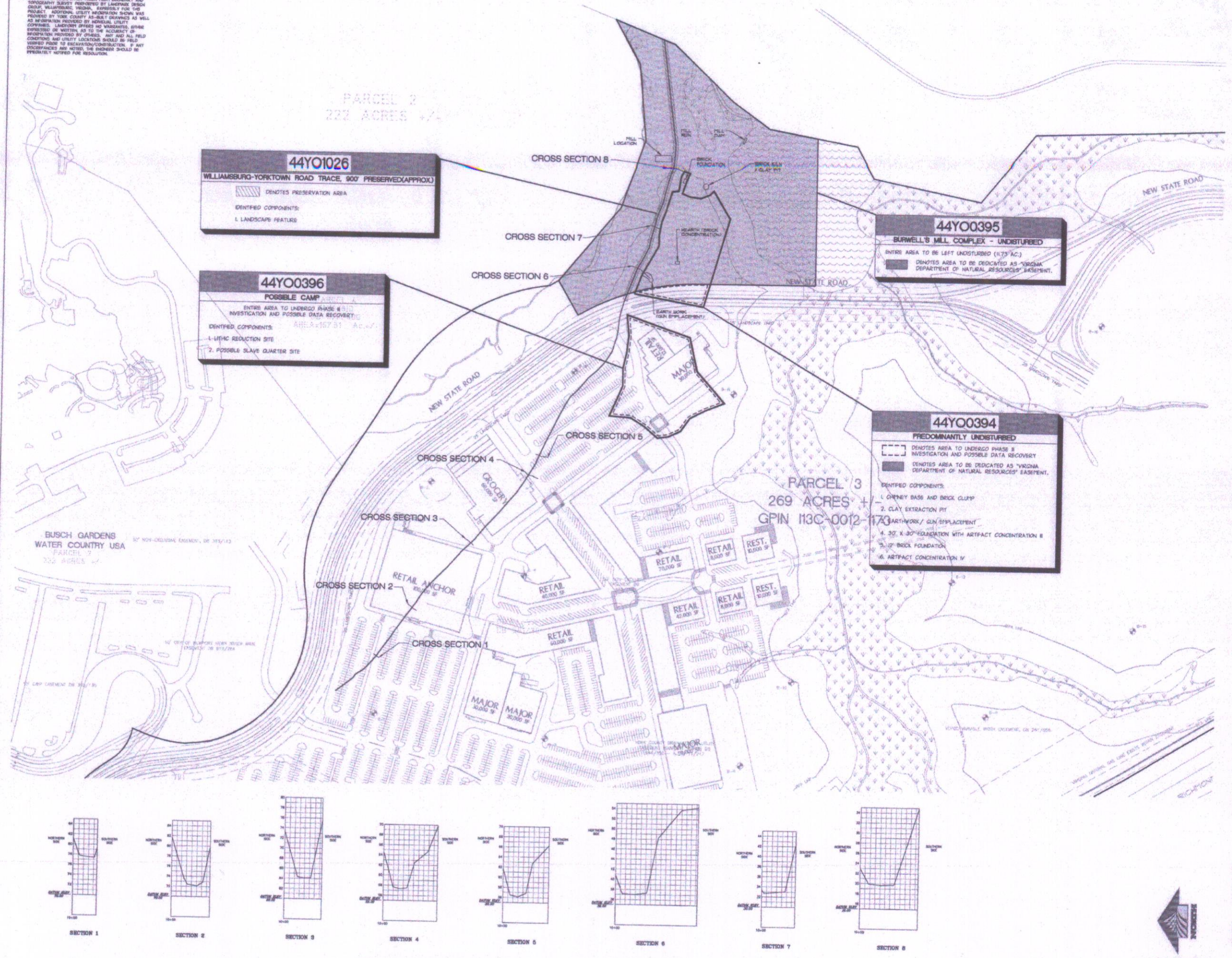
REVISED S.U.P. SUBMITTAL
SEPTEMBER 30, 2005

PROJECT
THE MARQUIS
YORK COUNTY, VA



FILE NAME: C:\G0000000
PROJECT NO.: PP000000

HISTORICAL RESOURCES
PRESERVATION PLAN
C1.2



CROSS SECTIONS SHOWN WERE CUT NORTH TO SOUTH OF THE SECTION LINES.

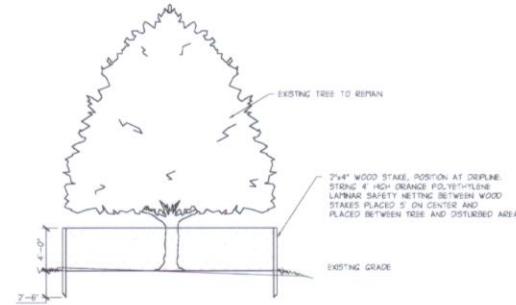


GENERAL NOTES

1. BACKGROUND INFORMATION TAKEN FROM BOUNDARY AND TOPOGRAPHY SURVEY PROVIDED BY LANDFORM DESIGN GROUP, WILLIAMSBURG, VIRGINIA, EXPRESSLY FOR THE PROJECT. ADDITIONAL UTILITY INFORMATION SHOWN WAS PROVIDED BY YORK COUNTY AS-BUILT DRAWINGS AS WELL AS INFORMATION PROVIDED BY INDIVIDUAL UTILITY COMPANIES. LANDFORM OFFERS NO WARRANTY, EITHER EXPRESSED OR WRITTEN, AS TO THE ACCURACY OF INFORMATION PROVIDED BY OTHERS. ANY AND ALL FIELD CONDITIONS AND UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE NOTED, THE ENGINEER SHOULD BE IMMEDIATELY NOTIFIED FOR RESOLUTION.

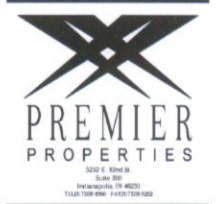
TREE PROTECTION NOTES

--- DENOTES TREE PROTECTION AREA
--- DENOTES TREE PROTECTION FENCING



NOTE: ALL TREE PROTECTION DEVICES ARE TO BE INSTALLED PRIOR TO START OF LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPE IS INSTALLED. NO PARKING, STORAGE OR OTHER CONSTRUCTION SITE ACTIVITIES ARE TO OCCUR WITHIN THE TREE PROTECTION AREA.

1 TREE PROTECTION FENCE
NO SCALE



KEY PLAN



CIVIL SHEET INDEX

SHEET	TITLE
C1.0	CIVIL CONCEPT SHEET
C1.1	EXISTING CONDITIONS PLAN
C1.2	HYDROLOGICAL PRESERVATION PLAN
C1.3	TREE PRESERVATION PLAN
C1.4	PRELIMINARY PLANNING PLAN
C1.5	PRELIMINARY DESIGN PLAN
C1.6	PRELIMINARY DESIGN PLAN
C1.7	PRELIMINARY DESIGN PLAN
C1.8	PRELIMINARY DESIGN PLAN
C1.9	PRELIMINARY DESIGN PLAN
C1.10	PRELIMINARY DESIGN PLAN

RECEIVED

OCT 3 2005

PLANNING DIVISION
COUNTY OF YORK

DATE	REVISION	NOTES
30 SEP 2005	REVISED S.U.P. SUBMITTAL	ONE

PROJECT MANAGER REVIEW	
BY: [Signature]	DATE: 8/20/05
CERTIFICATION	

IF THE READER DIRECTLY HAS ANY QUESTIONS CONCERNING THIS SHEET, THEY SHOULD BE ADDRESSED TO THE ENGINEER. IF NECESSARY, CONTACT THE ENGINEER TO REQUEST ADDITIONAL DOCUMENTS.

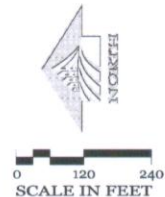
REVISED S.U.P. SUBMITTAL
SEPTEMBER 30, 2005

PROJECT
THE MARQUIS
YORK COUNTY, VA

LANDFORM
MINNEAPOLIS - PHOENIX
610 First Avenue North
Suite 200
Minneapolis, MN 55401-1010
Phone: 612.332.8000
Fax: 612.332.8001
www.landform.net

FILE NAME	C:\03P02.DWG
PROJECT NO.	PPU00002

TREE PRESERVATION
PLAN
C1.3



GENERAL NOTES

ENCLOSED INFORMATION REGARDING BOUNDARY AND CONTIGUOUS SUBJECT PROPERTY IS LIMITED TO THE COUNTY PLANNING DIVISION. THE PROPERTY IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS DESIGNED. THE PROPERTY IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS DESIGNED. THE PROPERTY IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS DESIGNED.

LEGEND

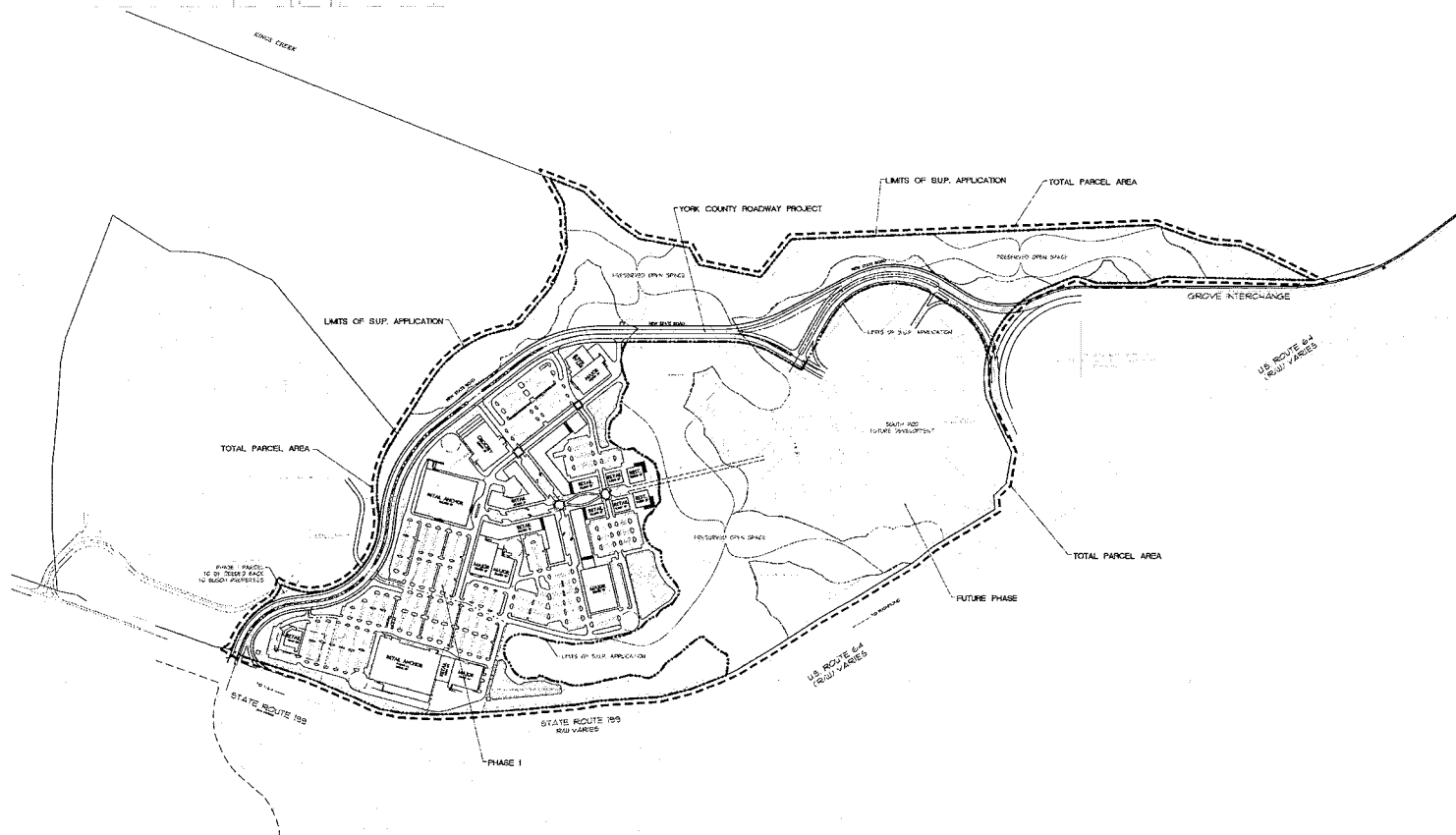
- LIMITS OF SUP. APPLICATION BOUNDARY -
- EXISTING ROAD & AREA
- EXISTING ROAD & AREA
- EXISTING ROAD & AREA

AREA SUMMARY

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Subtotal	12.42	538,462	12.42	538,462
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Subtotal	12.42	538,462	12.42	538,462
Subtotal	12.42	538,462	12.42	538,462

PARKING SUMMARY

Area	Acres	Sq. Ft.	Acres	Sq. Ft.
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Subtotal	12.42	538,462	12.42	538,462
Subtotal	12.42	538,462	12.42	538,462
Subtotal	12.42	538,462	12.42	538,462
Subtotal	12.42	538,462	12.42	538,462



Sheet	Description
101	Site Plan
102	Site Plan
103	Site Plan
104	Site Plan
105	Site Plan
106	Site Plan
107	Site Plan
108	Site Plan
109	Site Plan
110	Site Plan
111	Site Plan
112	Site Plan

Revision	By	Date
1	10/10/2005	10/10/2005

Product Manager Review	By	Date
1	10/10/2005	10/10/2005

REVISED S.U.P. SUBMITTAL
SEPTEMBER 30, 2005
PROPERTY
THE MARQUIS
YORK COUNTY, VA



File Name	Project No.
GEODIMENSION	1000000000

PRELIMINARY PHASING PLAN
C2.0

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PLANNING DIVISION
COUNTY OF YORK



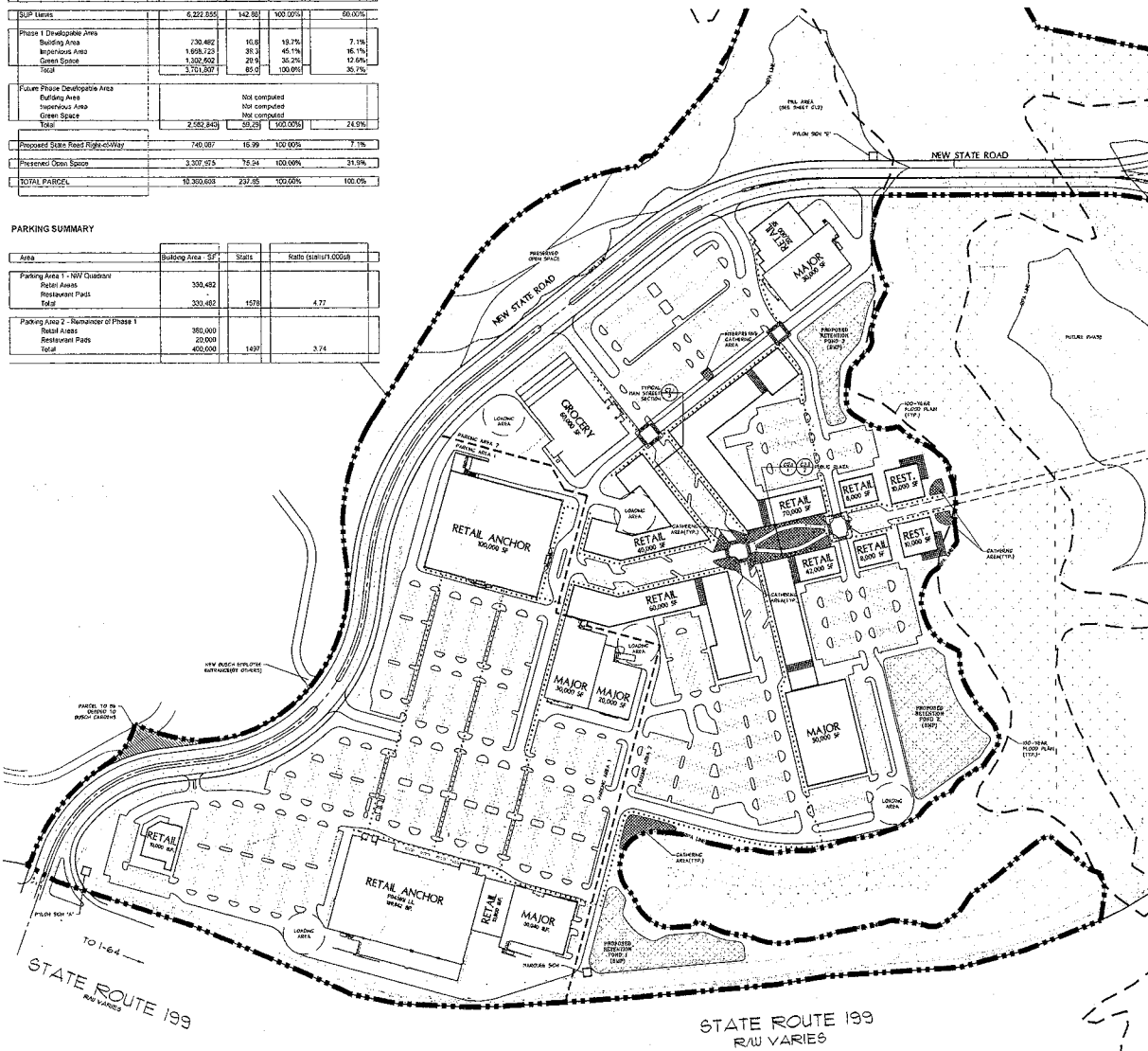
[illegible]

1. KEYNOED LANDSCAPE WALLS AND PERIMETER LANDSCAPES SHALL BE MAINTAINED AS OBSERVED PER 24-4081 STANDARDS FOR SHOPPING CENTERS.
2. IF IT IS THE INTENT OF THE OWNERS TO PROVIDE PARKING AT OR NEAR THE ZONED COMMERCIAL PURPOSES, FENCE PLANS PREPARED FOR SITE PLAN SUBMITTAL WILL PROVIDE EXACT CALCULATIONS. ANY EXCESS WILL BE TREATED THROUGH THE LANDSCAPE DESIGN SYSTEM.
3. SITE LIGHTING TO BE PROVIDED PER ZONING STANDARDS.
 - a) 25 MAX POLE HEIGHT
 - b) SHIELDED DOWN LIGHTS
 - c) ILLUMINATION LEVELS TO BE LIMITED TO 0.5 FC AT PROPERTY LINE.

***** DEMOTES PRESTIGIAN ACCESS
☐ DEMOTES GREENSPACE

Area	Area - SF	Area - AC	% of Area	% of Total PACE
Shop Items	6,322.555	142.50	100.00%	60.00%
Phase 1 Developable Area				
Building Area	730.482	16.8	18.7%	7.1%
Impervious Area	1,659.122	37.5	26.3%	10.6%
Green Space	1,302.600	29.6	36.2%	12.6%
Total	3,712.803	85.0	100.0%	30.3%
Future Phase Developable Area				
Building Area		Not computed		
Impervious Area		Not computed		
Green Space		Not computed		
Total	2,582.843	68.25	100.00%	24.9%
Proposed Street Right-of-Way	740.187	16.99	100.00%	7.1%
Preferred Open Space	3,507.454	72.4	100.00%	28.9%
TOTAL PAVEMENT	10,355.603	237.58	100.00%	100.0%

Area	Building Area - SF	State	Ratio (State/1,000)
Parking Area 1 - NW Quadrant			
Retail Areas	335,492		
Restaurant Pads			
Total	330,482	1578	4.77
Parking Area 2 - Remainder of Phase 1			
Retail Areas	380,000		
Restaurant Pads	20,000		
Total	400,000	1497	3.74



The architectural floor plan of the Temple of Isis at Philae is a detailed drawing showing the layout of the temple complex. The plan is oriented horizontally, with the entrance on the left and the main temple area on the right. The entrance is marked with a large 'X' and is flanked by two columns. The main temple area is a large rectangular structure with a central courtyard. The plan is labeled with numbers 1 through 10, indicating different parts of the temple. A scale bar is located at the bottom left, showing a distance of 0 to 10 meters. The plan also includes a north arrow pointing towards the top right.



HWY	TIME
404	CVL DRIVE WEST
401	INDIAN COUNTRY PLAZA
CA2	HOLIFORD ROAD/2000 PERRYMAN RD
CA3	TEX PEPPERMAN PLAZA
200	PEPPERMAN PLAZA
CA3	PEPPERMAN PLAZA
200	PEPPERMAN PLAZA
CA3	PEPPERMAN PLAZA
200	PEPPERMAN PLAZA
CA3	PEPPERMAN PLAZA
200	PEPPERMAN PLAZA

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PLANNING DIVISION
~~COUNTY OF YORK~~

PROJECT MANAGER REVIEW
BY: DATE: 02/04/09

Received 10 July 2003; accepted 10 September 2003

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SEPTEMBER 30, 2005

PROJECT

PROJECT
THE
MARQUIS
YORK COUNTY, VA



LANDFORM
MINNEAPOLIS • PHOENIX

540 First Avenue North
Boca Raton, FL 33433
Phone: 561-362-1510
Fax: 561-362-1017

5401 North 22nd Street
Park Place Building
Phoenix, AZ 85016
Phone: 602-952-8104
Fax: 602-952-8110

www.beand.com

FILE NAME	C20RPT02.DWK
PROJECT NO.	PP10000

PRELIMINARY
SKETCH PLAN (PHASE I)
C2.1

0 C2.1



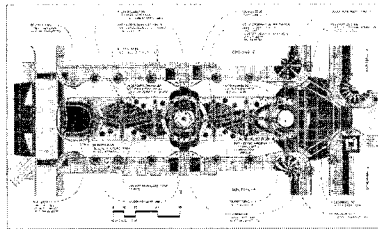
GENERAL NOTES

1. PRELIMINARY CONCEPT PLAN FOR THE PROPOSED DEVELOPMENT. THIS PLAN IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY FROM THE APPROPRIATE OWNERS. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION FROM THE APPROPRIATE UTILITIES COMPANIES. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SURVEY INFORMATION FROM THE APPROPRIATE SURVEYOR. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ENGINEERING INFORMATION FROM THE APPROPRIATE ENGINEER. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL INFORMATION FROM THE APPROPRIATE ARCHITECT. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LANDSCAPE ARCHITECTURE INFORMATION FROM THE APPROPRIATE LANDSCAPE ARCHITECT. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ENVIRONMENTAL INFORMATION FROM THE APPROPRIATE ENVIRONMENTAL CONSULTANT. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY HISTORIC PRESERVATION INFORMATION FROM THE APPROPRIATE HISTORIC PRESERVATION CONSULTANT. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CULTURAL RESOURCE INFORMATION FROM THE APPROPRIATE CULTURAL RESOURCE CONSULTANT. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHAELOGICAL INFORMATION FROM THE APPROPRIATE ARCHAEOLOGICAL CONSULTANT. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY GEOLOGICAL INFORMATION FROM THE APPROPRIATE GEOLOGICAL CONSULTANT. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SOILS INFORMATION FROM THE APPROPRIATE SOILS CONSULTANT. 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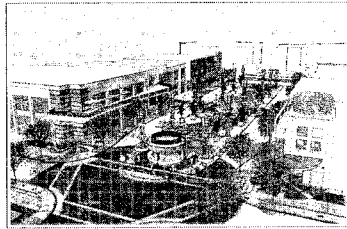
LEGEND

..... DEVELOPER'S PROPOSED ACCESS
..... EXISTING TRAIL, SIDEWALK, TRAIL, DRIVEWAY, ETC.

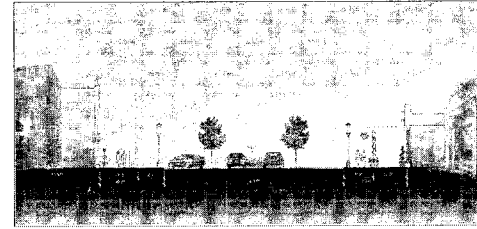
1. PUBLIC PLAZA CONCEPT - PLAN



2. PUBLIC PLAZA CONCEPT - ISO



3. MAIN STREET CONCEPT - SECTION



KEY PLAN



CIVIL SHEET INDEX

NO.	TITLE
1	CIVIL SHEET INDEX
2	GENERAL NOTES
3	PLANNING DIVISION
4	COUNTY OF YORK
5	THE MARQUIS
6	YORK COUNTY, VA

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**PLANNING DIVISION
COUNTY OF YORK**

PROJECT NAME: THE MARQUIS
COUNTY OF YORK, VA

PROJECT NO.: 05-001
DATE: 10/10/05

PROJECT NAME: THE MARQUIS
COUNTY OF YORK, VA

PROJECT NO.: 05-001
DATE: 10/10/05

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COUNTY OF YORK, VA

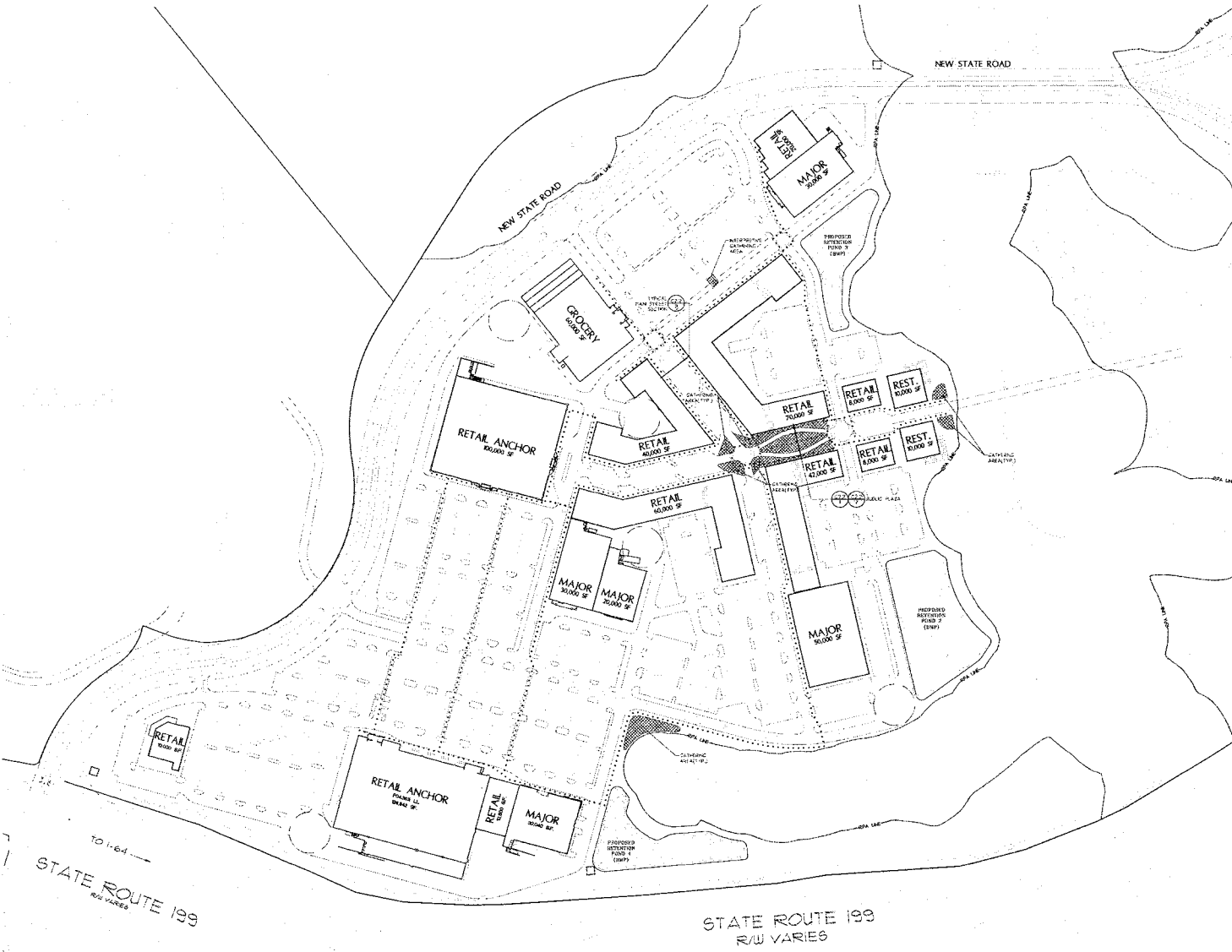
PROJECT NO.: 05-001
DATE: 10/10/05

PROJECT NAME: THE MARQUIS
COUNTY OF YORK, VA

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DATE: 10/10/05

PROJECT NAME: THE MARQUIS
COUNTY OF YORK, VA

PROJECT NO.: 05-001
DATE: 10/10/05



MINNEAPOLIS - PHOENIX

1500 Oak Grove Road
Bloomington, MN 55425
Phone: 612.338.4444
Fax: 612.338.4444

1500 Oak Grove Road
Phoenix, AZ 85004
Phone: 602.998.1234
Fax: 602.998.1234

PROJECT NAME: C2.2
PROJECT NO.: 05-001

PRELIMINARY INTERNAL
CIRCULATION PLAN
C2.2

DATE: 10/10/05

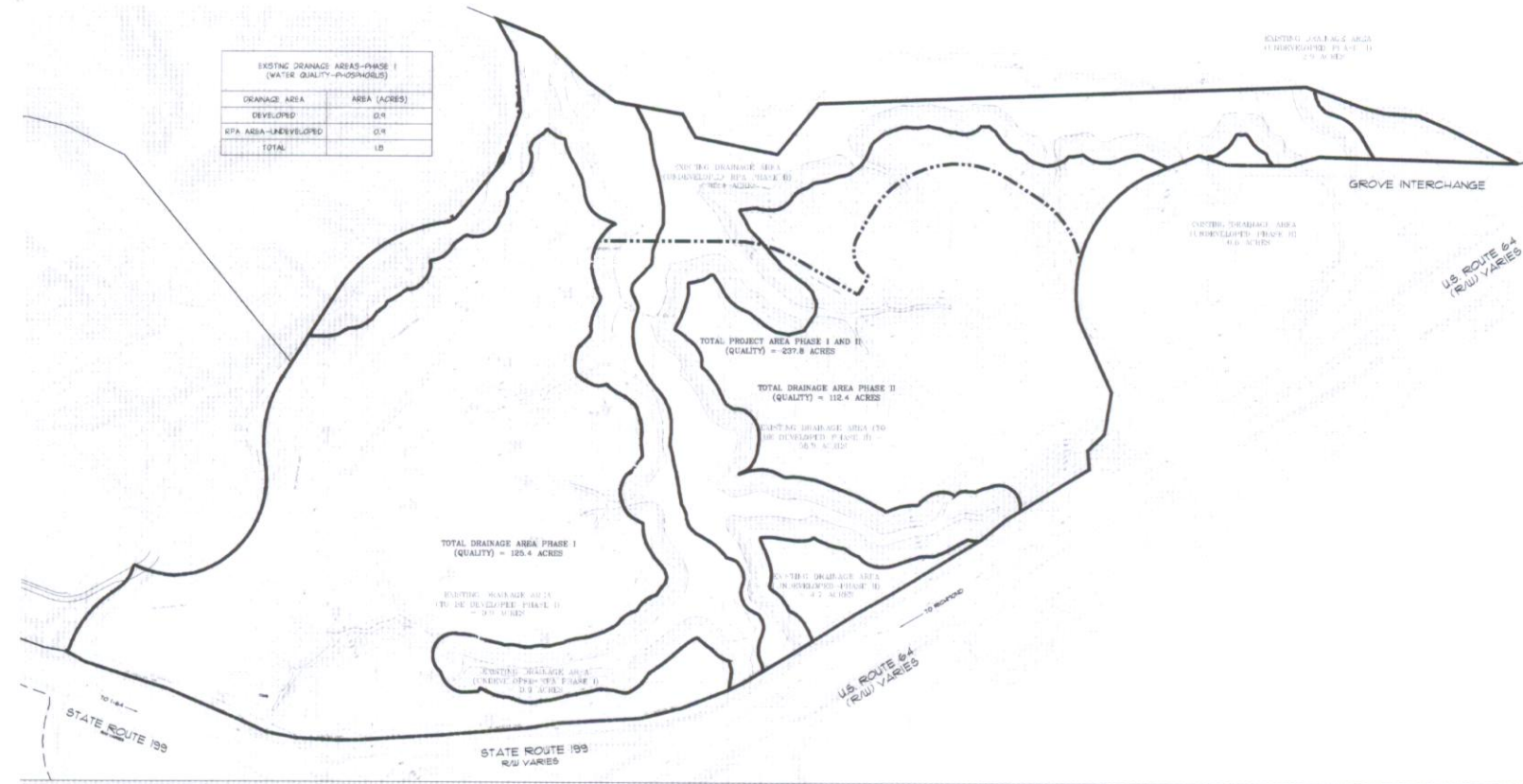
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2. PORTIONS OF STORMWATER MANAGEMENT FACILITIES LOCATED OUTSIDE SUBJECT PARCELS WILL BE COVERED BY APPROPRIATE DRAINAGE AND UTILITY EASEMENTS AND PROVIDED AT 30% PLAN SUBMITTAL.

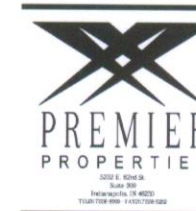
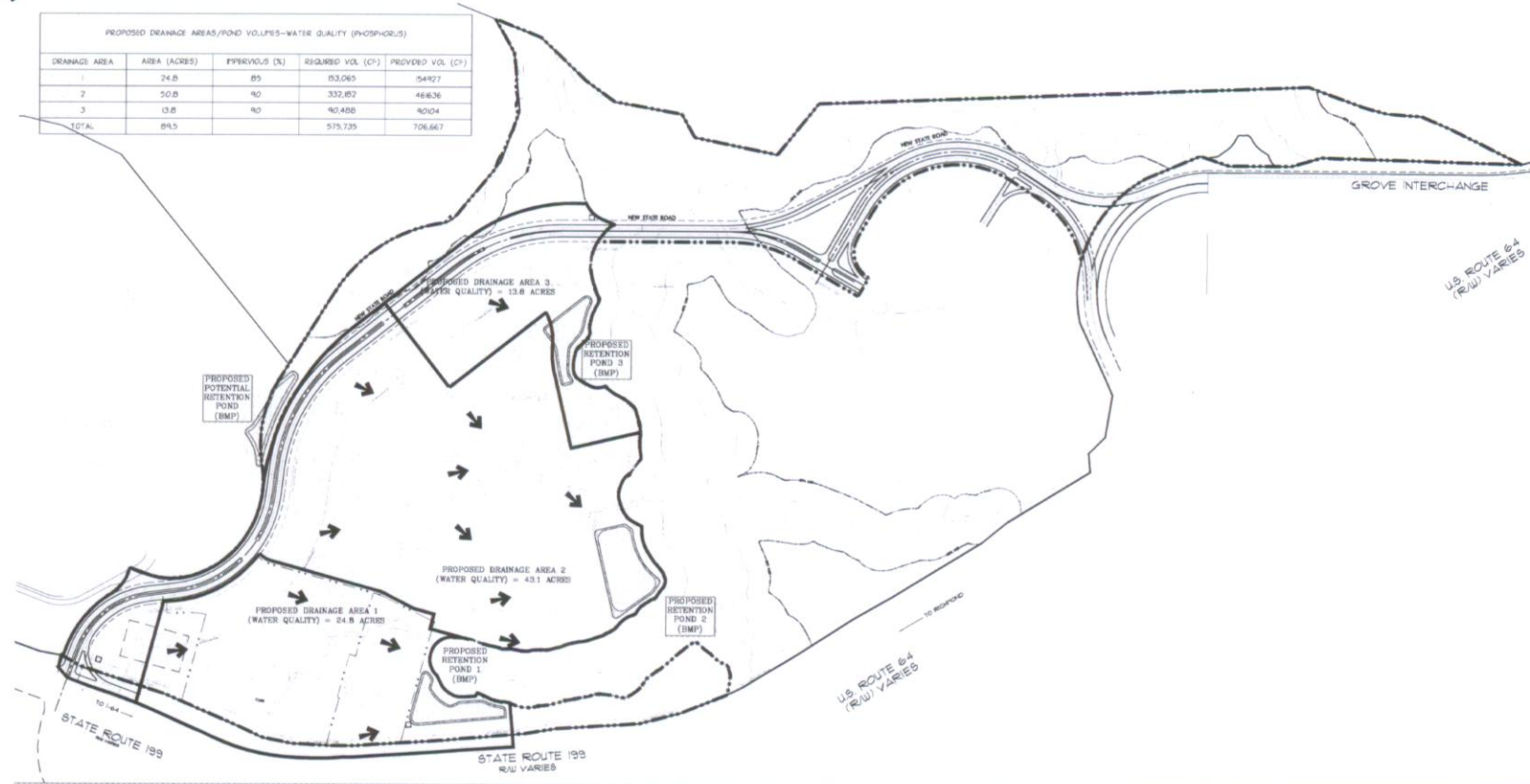
EXISTING DRAINAGE ANALYSIS

EXISTING DRAINAGE PATTERN



PROPOSED DRAINAGE ANALYSIS

PROPOSED DRAINAGE PATTERN



KEY PLAN



CIVIL SHEET INDEX

SHEET	TITLE
C3.1	EXISTING DRAINAGE ANALYSIS
C3.2	PROPOSED DRAINAGE ANALYSIS
C3.3	PROPOSED RETENTION POND 1 (BMP)
C3.4	PROPOSED RETENTION POND 2 (BMP)
C3.5	PROPOSED RETENTION POND 3 (BMP)
C3.6	PROPOSED POTENTIAL RETENTION POND (BMP)

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COUNTY OF YORK

PROJECT MANAGER REVIEW

BY: [Signature] DATE: 10/10/05

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SEPTEMBER 30, 2005

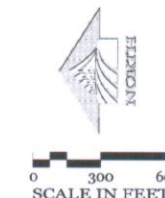
PROJECT

THE
MARQUIS
YORK COUNTY, VA



FILE NAME: C30102.DWG
PROJECT NO: 99L05002

PRELIMINARY
DRAINAGE ANALYSIS
C3.1



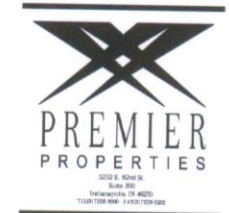
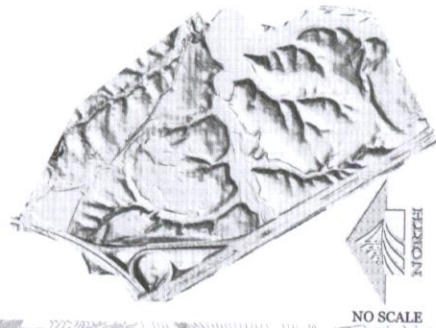
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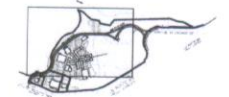
STEEP SLOPE NOTES

1. AREAS SHOWN ARE SLOPES 15% AND GREATER

TERRAIN MAP



KEY PLAN



CIVIL SHEET INDEX

SHEET	TITLE
C3.1	CIVIL COVER SHEET
C3.2	STEEP SLOPE ANALYSIS
C3.3	POTENTIAL EROSION PRESERVATION PLAN
C3.4	PRELIMINARY TRADING PLAN
C3.5	PRELIMINARY TRADING PLAN
C3.6	PRELIMINARY TRADING PLAN
C3.7	PRELIMINARY TRADING PLAN
C3.8	PRELIMINARY TRADING PLAN
C3.9	PRELIMINARY TRADING PLAN

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COUNTY OF YORK

REVISION HISTORY

DATE	REVISION	BY
02 SEP 2005	REVISED S.U.P. SUBMITTAL	DL

PROJECT MANAGER REVIEW

BY	DATE
DL	09/30/05

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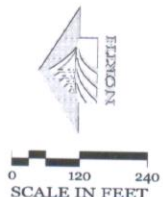
THE
MARQUIS
YORK COUNTY, VA



510 First Avenue North
Suite 1000, Suite 1000
Minneapolis, MN 55415-1000
Phone 612-332-8077
Fax 612-332-8077
www.landform.net

FILE NAME: C:\02\002.DWG
PROJECT NO: PPL00002

STEEP SLOPES
ANALYSIS
C3.2



EXCERPT
FROM

PHASE II ARCHAEOLOGICAL
SIGNIFICANCE EVALUATIONS OF SITES
44YO0394, 44YO0395, 44YO0396, AND 44YO1026

AT THE WHITTAKER'S MILL TRACT
IN YORK COUNTY, VIRGINIA

VDHR File No. 2003-1501

Prepared for:

Premier Properties, Inc.
5252 E. 82nd Street
Suite 300
Indianapolis, IN 46250
(317) 558-9900

Prepared by:

Dr. Garrett Fesler
Dr. Matthew Laird
James River Institute for Archaeology, Inc.
223 McLaws Circle, Suite 1
Williamsburg, Virginia 23185
(757) 229-9485

August 2005

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SEP 1 2005

PLANNING DIV.
COUNTY OF YORK

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MANAGEMENT SUMMARY

PLANNING DIVISION
COUNTY OF YORK

During the months of June and July 2005, the James River Institute for Archaeology, Inc. conducted Phase II archaeological evaluations at four sites—44YO0394, 44YO0395, 44YO0396, and 44YO1026—located on the Whittaker's Mill tract in York County, Virginia. Approximately 225 acres in size, the tract is bound by Highway 64 and an exit ramp to Route 199 on the south and east, by Kings Creek on the west, and by Water Country USA on the north. Archaeologists affiliated with the Department of Archaeology at the Colonial Williamsburg Foundation originally identified sites 44YO0394, 44YO0395, and 44YO0396 during a preliminary Phase I survey in 1983. A portion of the historic Williamsburg-Yorktown Road passes through the property (44YO1026). The Whittaker's Mill tract is owned by Premier Properties USA, Inc. which plans to develop the property for commercial purposes.

The purpose of the Phase II evaluations is to define site limits and assess the research potential and preservation conditions of each site, with the ultimate objective being the determination of the eligibility of each site to the National Register of Historic Places. The evaluations consisted of background documentary research, systematic shovel testing, and test unit excavations. The results of these efforts are summarized below.

44YO0394

Site 44YO0394 is located on a bluff overlooking the mill run for Whittaker's Mill (44YO0385) and beyond that the Kings Creek drainage basin. A host of historic components are present within the 250 ft. by 500 ft. boundaries of the site, including a Civil War winter hut chimney base and a nearby earthwork/gun emplacement, a colonial or antebellum brick clamp, a clay extraction pit associated with the nearby clamp, a robbed 30 ft. by 30 ft. late eighteenth-century foundation and surrounding artifact concentration, a 12 ft. brick foundation, a large artifact concentration dating to the second half of the eighteenth century when Carter Burwell and then Nathaniel Burwell operated the Mill Quarter on the property.

In our estimation the research potential and the integrity of site 44YO0394 is very good. The 250 ft. by 500 ft. site has not been plowed since the Civil War and this raises the research potential. Aside from nominal damage from logging, site 44YO0394 represents an almost pristine archaeological site that nature has slowly reclaimed. Therefore, for these reasons we recommend that site 44YO0394 is eligible for nomination to the National Register of Historic Places under Criterion D. If preservation in place is not possible, a Phase III data recovery excavation is necessary to salvage the site before earthmoving disturbances can occur.

44YO0395

Site 44YO0395 consists of a colonial brick clamp located on top of a small knoll north of Whiteman Swamp and abuts up against the Williamsburg-Yorktown Road (44YO1026). The site is 110 ft. by 120 ft., and the clamp itself is approximately 25 ft. by 25 ft. in size and comprised of seven brick benches. All evidence suggests the clamp was

fired once, probably to produce bricks for the construction of Philip Lightfoot's nearby mill in the 1720s, its rebuilding by Carter Burwell in the 1750s, or its renovation once again by Nathaniel Burwell in the 1770s. After documenting the dimensions of the clamp, detailing construction and contextual data, and sampling the site, we believe there is little additional data that can be extracted from it. Therefore, we feel that the research potential of the brick clamp at site 44YO0395 has been exhausted at the Phase II level, and accordingly, the site is not eligible for listing on the National Register of Historic Places. No further archaeological work is recommended.

44YO0396

Site 44YO0396 is located on a rolling terrace between Whiteman Swamp to the south and the Williamsburg-Yorktown Road (44YO1026) which forms the north boundary. The site consists of two main components: the main scatter of historic artifacts dating to the first half of the eighteenth century and an isolated concentration of lithic material on the south slope overlooking the millpond. The lithic concentration yielded slightly less than 1,400 artifacts, mostly quartzite flakes and debitage. The component functioned as a lithic reduction site during the Archaic period. The majority of the component has been heavily sampled to the extent that we believe its research capacity has been exhausted.

The historic component of 44YO0396 functioned as a slave quarter site in the first half of the eighteenth century while under the ownership of Philip Lightfoot. Although the site has been plowed, archaeologists identified ten subsurface features, including two probable sub-floor pits. The research potential for the slave quarter component is very good and therefore we recommend that it is eligible for nomination to the National Register of Historic Places under Criterion D. If preservation in place is not possible, a Phase III data recovery excavation is necessary to mitigate the site before disturbances can occur.

44YO1026

Site 44YO1026 consists of approximately a 2,900 ft. section of the historic Williamsburg-Yorktown Road. The Phase II work at 44YO1026 did not involve any physical testing. Instead, the objective was to further document the potential significance of the historic road, collect additional documentary data, assess the integrity of the road, and make a determination its eligibility for nomination to the National Register of Historic Places. The road's eligibility hinges on two factors: historic significance and integrity.

The Williamsburg-Yorktown Road is one of the most historically significant roadways in Virginia and the 2,900 ft. section encompassed by site 44YO1026 is extremely well preserved and has high integrity. We recommend that the site is eligible for nomination to the National Register of Historic Places under Criterion A. Preservation in place of all or a portion of the site should be considered as a means of meeting Section 106 requirements as mandated by the National Historic Preservation Act of 1966, as amended. The exact manner of preservation should be determined by consultation with the appropriate regulatory agencies.

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I. INTRODUCTION

PLANNING DIVISION
COUNTY OF YORK

During the months of June and July 2005, the James River Institute for Archaeology, Inc. (JRIA) conducted Phase II archaeological evaluations at four sites—44YO0394, 44YO0395, 44YO0396, and 44YO01026—located on the Whittaker's Mill tract in York County, Virginia (Figures 1, 2, and 3). Approximately 225 acres in size, the tract is bound by Highway 64 and an exit ramp to Route 199 on the south and east, by Kings¹ Creek on the west, and by Water Country USA on the north (see Figure 2). Archaeologists affiliated with the Department of Archaeology at the Colonial Williamsburg Foundation originally identified sites 44YO0394, 44YO0395, and 44YO0396 during a preliminary Phase I survey in 1983 (Hunter 1984). A portion of the historic Williamsburg-Yorktown Road that passes through the Whittaker's Mill tract (44YO1026) received a formal Virginia site inventory number in 2003 (Laird and Lutton 2004). The Whittaker's Mill tract is owned by Premier Properties USA, Inc. which plans to develop the property for commercial purposes.

Under Section 24.1-374 of a York County historic resource management policy (York County 2003), Premier Properties is obligated to take into account the impact of the planned development on cultural resources on its property. To meet the policy directives, Premier Properties agreed to perform a Phase I archaeological survey (see Laird and Lutton 2004) and Phase II evaluations that meet the requirements set forth by Section 106 of the National Historic Preservation Act (NHPA) of 1966 (16 U.S.C. 470) as amended (2001), and summarized by the Advisory Council on Historic Preservation (36 CFR 800) (1986). According to Section 106 of the NHPA, before an undertaking can occur a determination must be made regarding the potential effects that a proposed project might have on historic properties. The Phase II archaeological evaluations of sites 44YO0394, 44YO0395, 44YO0396, and 44YO1026 were designed to identify site boundaries, assess archaeological integrity, and ultimately to determine the significance of each of the four sites in terms of their eligibility for listing on the National Register of Historic Places (NRHP). In addition to fieldwork, JRIA conducted background documentary research as mandated by Section 106 of the NHPA. All facets of the evaluation were conducted in accordance with federal and state guidelines as stipulated by the Virginia Department of Historic Resources (VDHR) (2003) and by the Department of the Interior (1983).

This report provides a description of the project area's physical and environmental setting, and historic contexts specifically focused on the historical eras of the four sites under evaluation. A general research design summarizing field methods and laboratory analysis/artifact curation procedures, previous research at the four sites, and the expected results are discussed. The results of the fieldwork is then described and detailed, and the report ends with overall conclusions and recommendations.

¹ On the United States Geological Survey map the creek is labeled as "King Creek" (see Figure 2), however the more common term is "Kings Creek" and we will use this throughout the report.

Garrett R. Fesler (Ph.D.) compiled the report in collaboration with Matthew R. Laird (Ph.D.) who researched and wrote the historic contexts. Jessica Maul (M.A.) supervised the fieldwork, and he was assisted by Maria Booth, Andrew Butts, Melanie Cooper, Michael Durkin, Rob Haas, Marc Henshaw, Nate Lawrence, Evan Leavitt, Kathy Mapp, and Donnie Rice. All field notes, maps, correspondence, and other material associated with the project are on file at the JRIA offices in Williamsburg, Virginia. A duplicate set of the same information will be placed on file with the artifacts at the Virginia Department of Historic Resources in Richmond, Virginia. The artifacts eventually will be curated at the VDHR as well.

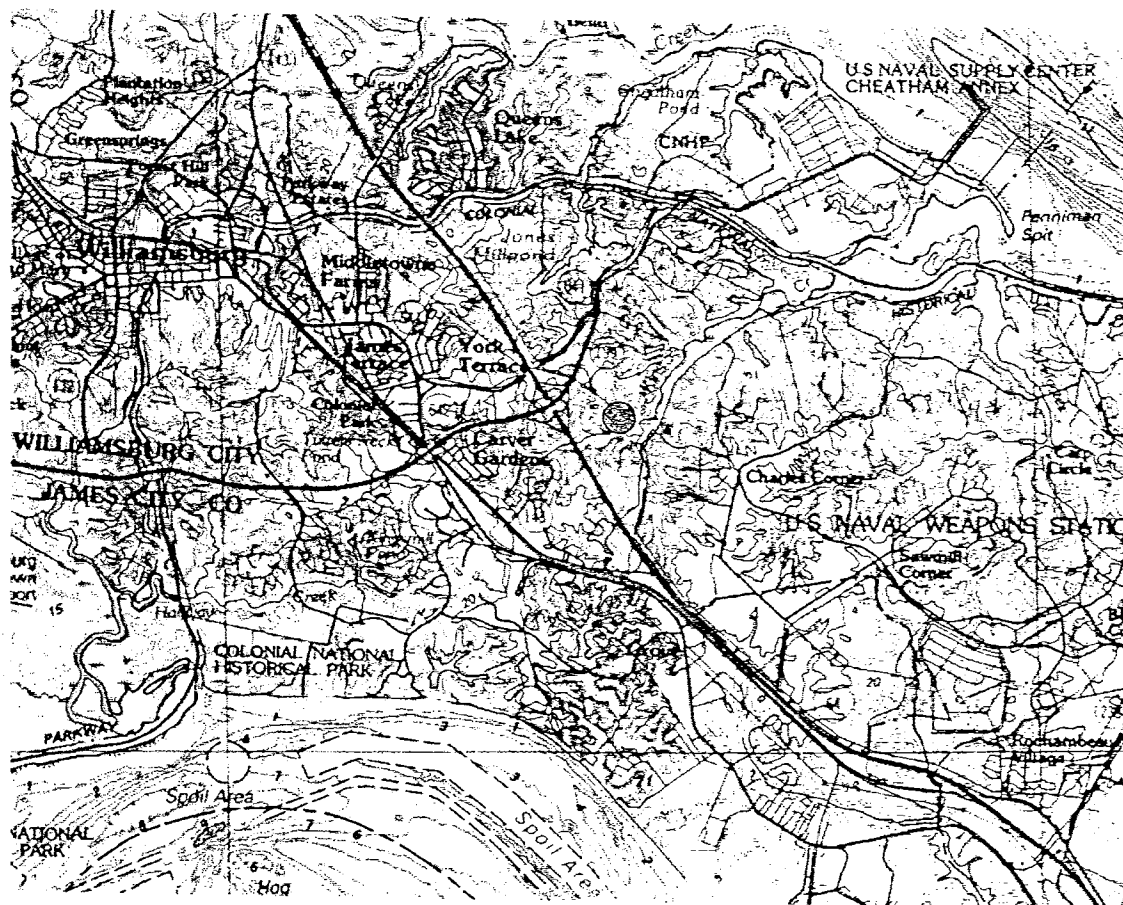


Figure 1. Location of the Phase II sites on the USGS (1:100,000) Williamsburg quadrangle (1984).

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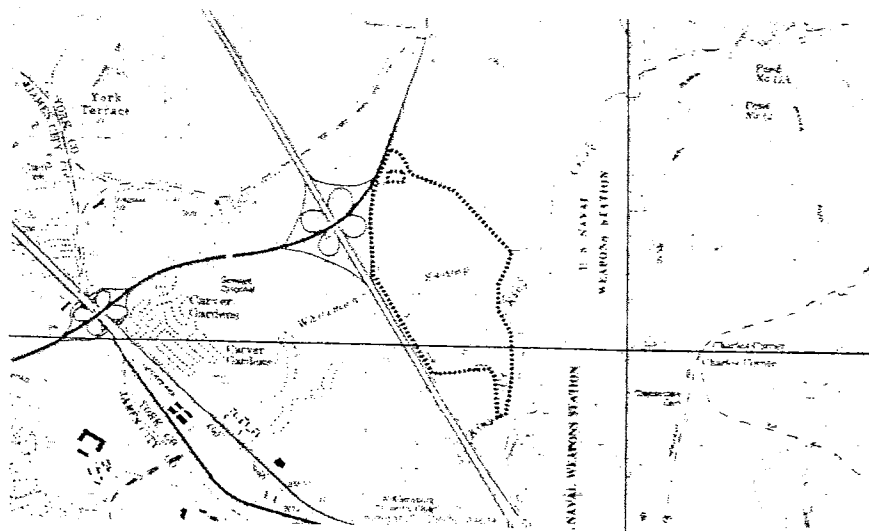


Figure 2. Location of the Whittaker's Mill tract on the USGS (1:24,000) Williamsburg (1984) and Hog Island (1984) quadrangles.

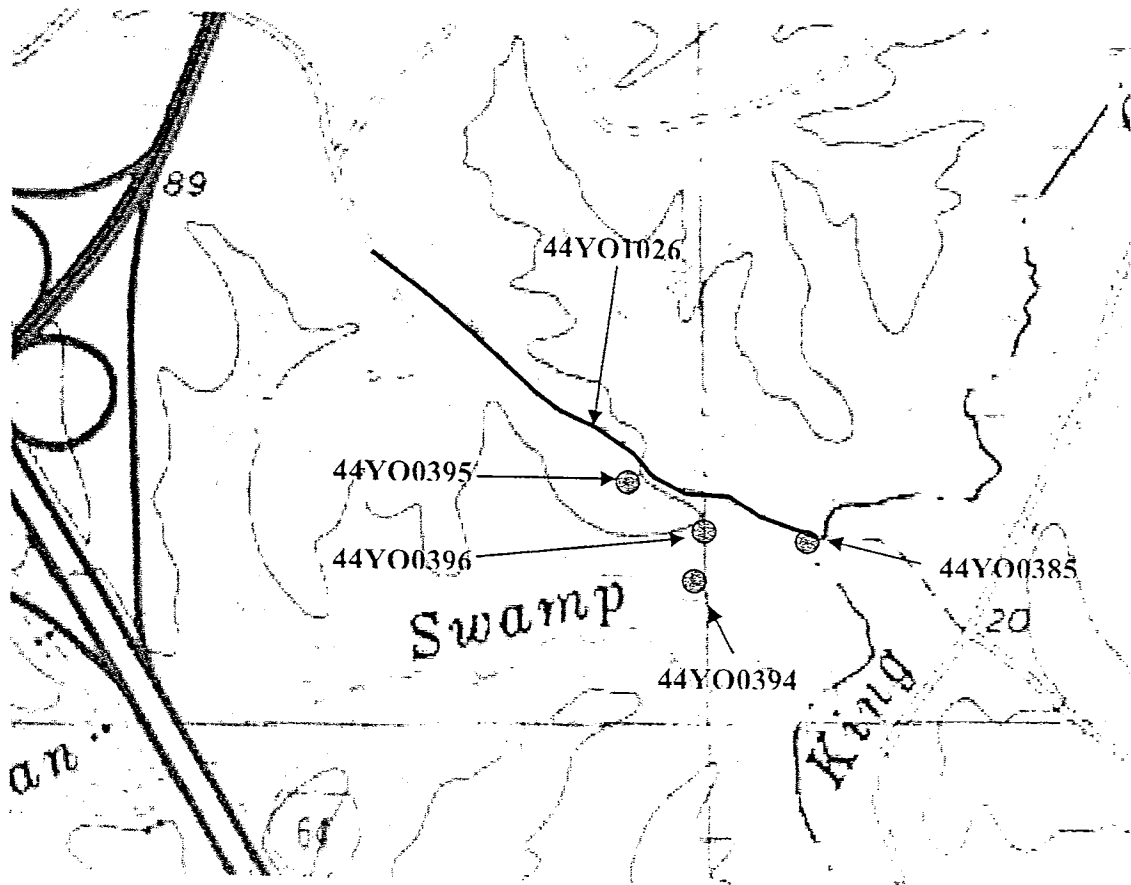


Figure 3. Location of the four Phase II sites, as well as site 44YO0385 (the Whittaker's Mill site), on the USGS (1:24,000) Williamsburg (1984) quadrangle.

II. PHYSICAL AND ENVIRONMENTAL CONTEXT

A. Physical Description

Sites 44YO0394, 44YO0395, 44YO0396, and 44YO1026 are located on the 225-acre Whittaker's Mill tract, which is bound on the south and east by Highway 64 and an exit ramp to Route 199, on the west by Kings Creek, and on the north by Water Country USA (see Figure 2). The four sites are situated in close proximity to one another on a sloping, graduated terrace overlooking Kings Creek (see Figure 3). All the sites are forested in relatively mature trees; by appearances, the area last was logged 30 to 40 years ago (Figure 4). Traces of old logging roads can be detected throughout the area, although logging damage seems to be minimal. An old farm road passes close by site 44YO0395, and forms the west boundary of site 44YO0396 (Figure 5). The most visible manmade landscape feature within the project area is the historic road bed (44YO1026) that is carved into the terrain and runs in a northwesterly-southeasterly direction through the property and forms the north boundary of sites 44YO0394, 44YO0395, and 44YO0396 (see Figure 5). Otherwise, there are no distinctive manmade landmarks in the vicinity of the sites to help situate them.

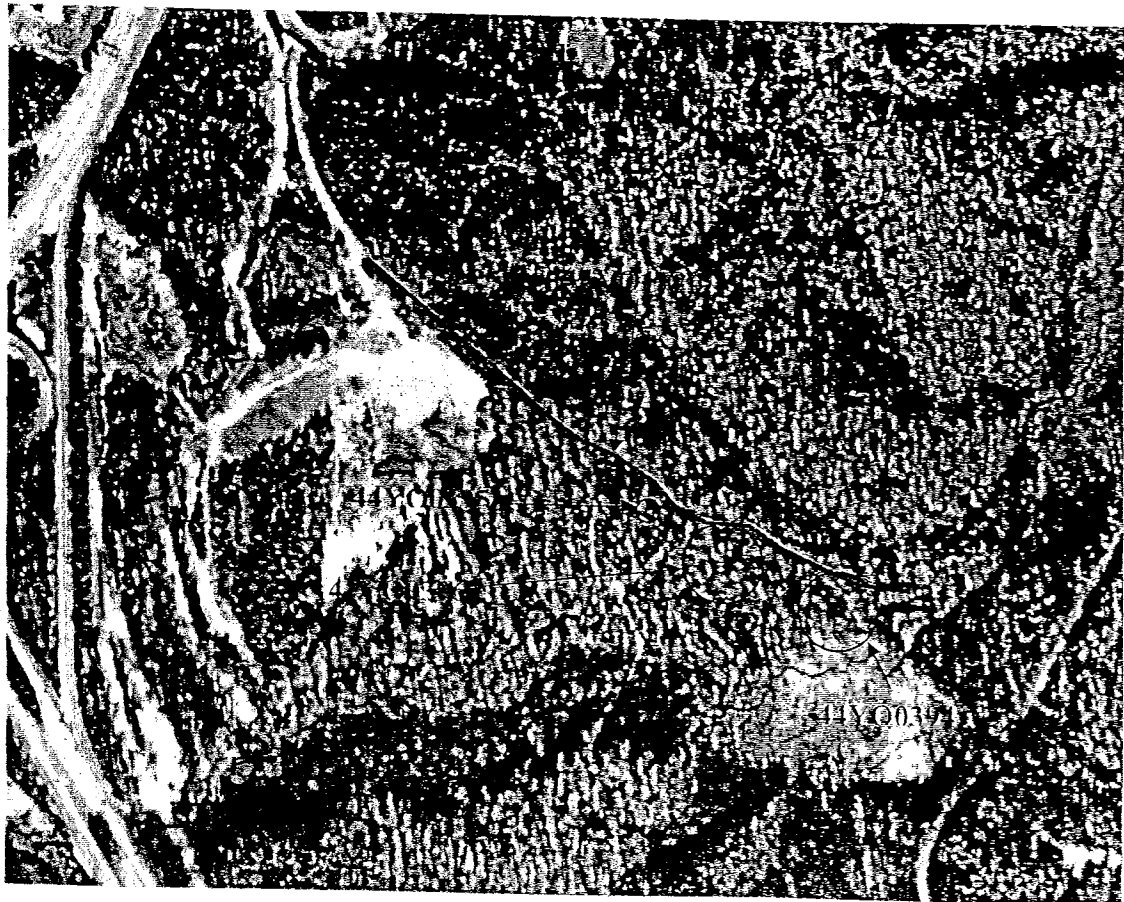


Figure 4. Approximate locations of the four Phase II sites on a recent aerial photograph of the area.

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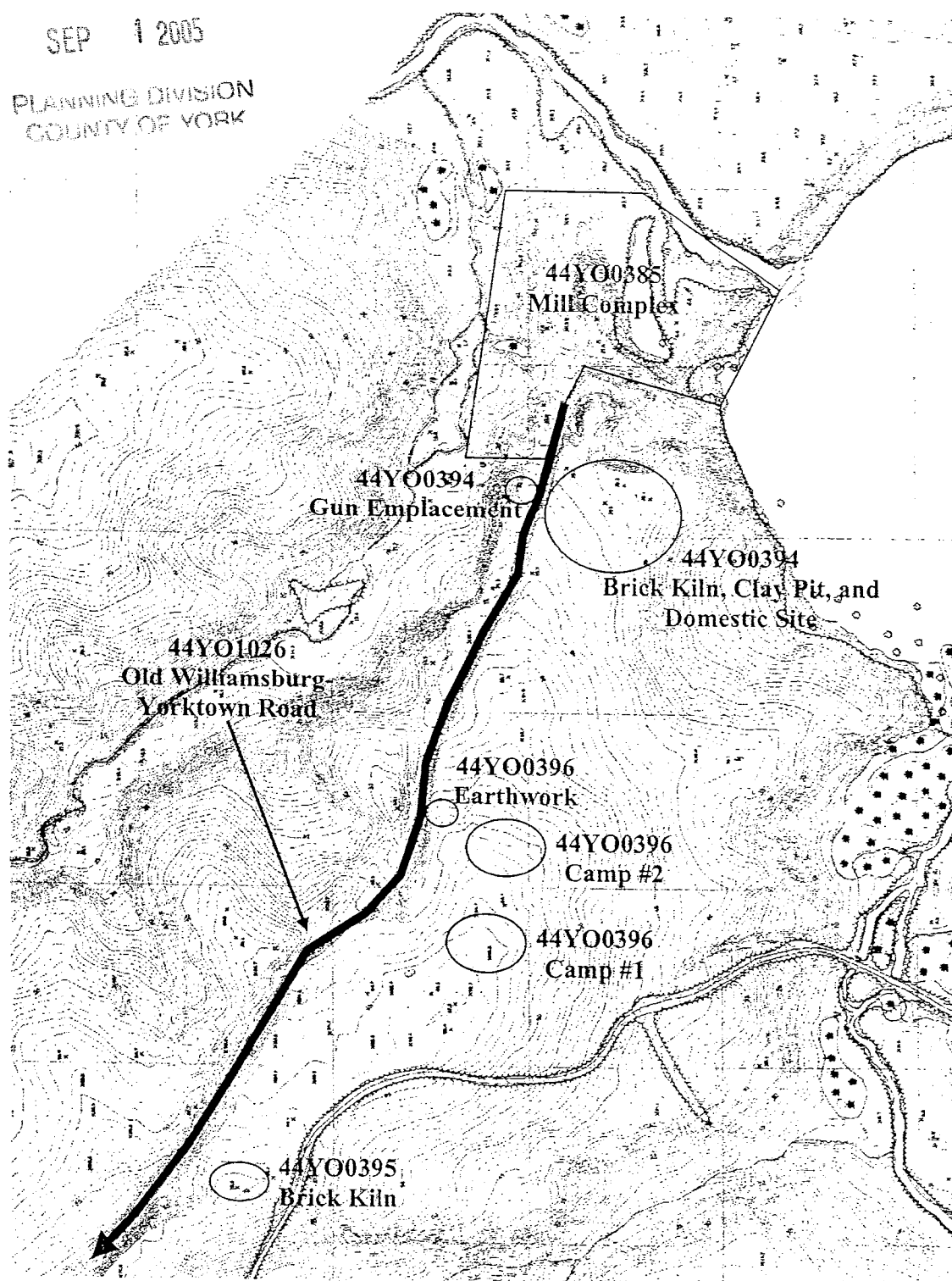


Figure 5. Approximate locations of the Phase II sites as determined during the Phase I survey, as well as site 44YO0385 (the Whittaker's Mill site).

III. CULTURAL CONTEXT

Thanks to the exhaustive documentary research of Alan Simpson, Helen Byrd, and Mary Simpson on behalf of the Colonial Williamsburg Foundation, there is a considerable amount of information available concerning the history of the gristmill lot within the project area—variously known as Lightfoot's, Burwell's, and Whittaker's Mill—as well as that of the adjoining Mill Quarter, an outlying plantation owned by the Burwell family of Carter's Grove and worked by their enslaved African-American labor force during the eighteenth- and early nineteenth centuries. The following historic context serves to summarize the results of the existing documentary research as a means of more effectively interpreting the results of the Phase II archaeological investigation of sites 44YO0394, 44YO0395, and 44YO0396. The principal themes explored include the general history of the mill lot from the early eighteenth- through twentieth centuries; the occupation of African-American slaves at the Burwell's "Mill Quarter" between ca. 1740 and 1800; the limited documentary evidence concerning the brick clamp feature and the technological aspects of colonial brick manufacturing; and the history of military occupation at the site during both the Revolutionary and Civil wars.

A. The History of the Mill Lot (1723-1900)

The beaver dams on Uty's Creek—later known as Kings Creek—were a well-known landmark from the earliest days of settlement in this part of York County in the 1630s and 1640s (see Plate 1). But no enterprising settler appears to have attempted to harness the creek's waterpower until Colonel Philip Lightfoot decided to build a mill here in the early 1720s. Lightfoot owned acreage on the "beaver-dam" lands east of Kings Creek and along the main road between Yorktown and Williamsburg, but needed at least a small parcel on the west side in order to develop a potential mill site. Taking advantage of statutes to encourage the construction of mills, which were considered an essential public utility, Lightfoot petitioned the York County Court in 1723 for one acre on the opposite bank. The court agreed, and Lightfoot's neighbor Robert Jackson was ordered to sell the land for the sum of 20 shillings. Here Lightfoot intended to build a conveniently located public water gristmill, or "custom" mill, where farmers could bring grain to be ground for a toll, and customers could purchase meal, hominy, and forage. It is not clear exactly when Lightfoot's mill began operating, but it appears from frequent references in the county court records that it was in active use between 1726 and 1743. During these years the court received recurring complaints about Lightfoot's failure to adequately maintain the mill bridge, the bridge over the mill tail, and the causeway over the well-traveled public road. The mill appears to have ceased functioning by the late 1740s; there was no mention of it in Lightfoot's 1748 will, and a 1751 document in the county court records makes reference to the former "Beaver Dam Mill" (Simpson et al. 1984:13-20).

Situated as it was on a major thoroughfare—the Williamsburg-Yorktown Road—and with access to ample waterpower, the mill lot was simply too valuable a property to languish unused for long, and in 1751 Carter Burwell of Carter's Grove turned his attention to rebuilding a gristmill on the site. Burwell owned the adjoining plantation quarter by this time, but did not have access to the mill lot itself, which was now in the

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hands of William Lightfoot. When Lightfoot proved unwilling to sell or participate in a new mill venture, Burwell resorted to the same legal strategy that Philip Lightfoot had used nearly thirty years before, petitioning the county court for the property. Once again, a jury agreed that the public utility of an operating mill trumped the owner's private property rights, and granted the mill lot to Burwell. Lightfoot in return received £6 compensation, while £10 was paid to two nearby landowners whose property would be inundated by the new millpond. Unfortunately, there are very few references in Carter Burwell's papers to his new mill, so it is not known exactly how much reconstruction was necessary to return the mill to a functioning state. However, it appears that it was rebuilt in the same location as Lightfoot's mill of the 1720s (Simpson et al. 1984:20-21).

The mill appears to have lapsed into disuse once again at some point after Carter Burwell's death in 1756. His son Nathaniel, however, came of age in 1771, and soon became interested in restoring the mill to operation. In 1772, Nathaniel's former guardian, William Nelson of Yorktown, wrote to Samuel Athawes, the Burwell's family factor in London, mentioning that Nathaniel was interested in building a mill and would need two millstones. The young Burwell's plans to resurrect the mill clearly proceeded apace; in fact, this period is the best documented of any of the mill's many incarnations, thanks in large part to the discovery by Simpson and colleagues of the mill daybook and ledger covering the years 1774 through 1778. Having mastered the somewhat arcane nuances of the 1770s mill records, the researchers were able to reconstruct a lost world of commercial relationships between Burwell and his neighbors and customers in Williamsburg and York County. However, documents and maps that postdate the daybook and ledger offer even more important clues to archaeologists investigating the material record of the mill and its associated lot (Simpson et al. 1984: 24-26).

Documents dating to 1785 indicate that Burwell employed millwright William Clark to repair the mill, which had by this time been in constant operation for more than a decade. In May and June of that same year, Burwell was invoiced by Williamsburg brickmason Humphrey Harwood for 2,500 bricks and 56 bushels of lime for "building up the wall at the mill" (Simpson et al. 1984: 24-26). Meanwhile, the detailed map of the Williamsburg area drafted by French military cartographer Nicholas Desandrouin in 1781 depicts the mill and environs in unprecedented detail. Desandrouin indicated a cluster of buildings where the Yorktown-Williamsburg Road crossed Kings Creek which he labeled "Burwell's Mill." The mill was situated on the north side of the road, while three additional buildings were located on the plateau to the south (Figure 6).

Another important source of information is the inventory of Nathaniel Burwell's numerous holdings in York and James City counties taken for the abortive 1798 Continental Assessment, which would have been the first direct tax imposed by the new federal government. This assessment recorded "a mill house Brick 2 story 40 by 20 double Geares with 2 pr. Stones," in addition to a number of other buildings on Burwell's York County properties. Although the 1798 assessment does not distinguish which ancillary buildings were near the mill, it is known from related documentary sources that associated structures in the vicinity included a "still house [distillery] 40 by 20;" "Miller's house 24 by 16;" one barn, measuring 40 feet by 20 feet, and one 12-foot by 16-foot

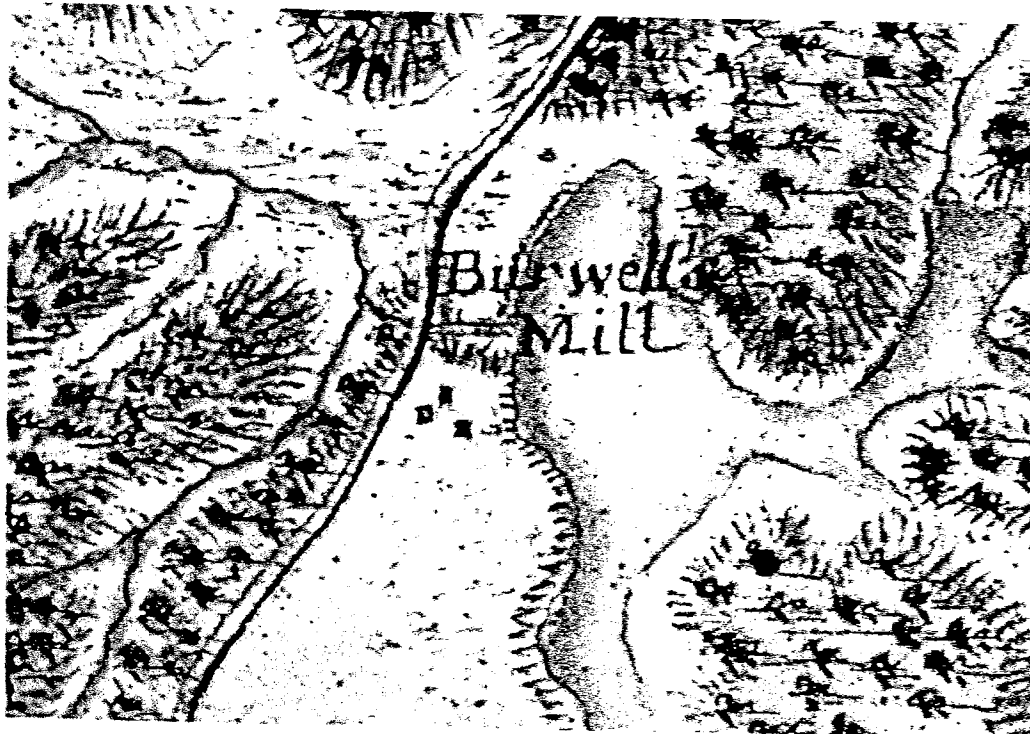
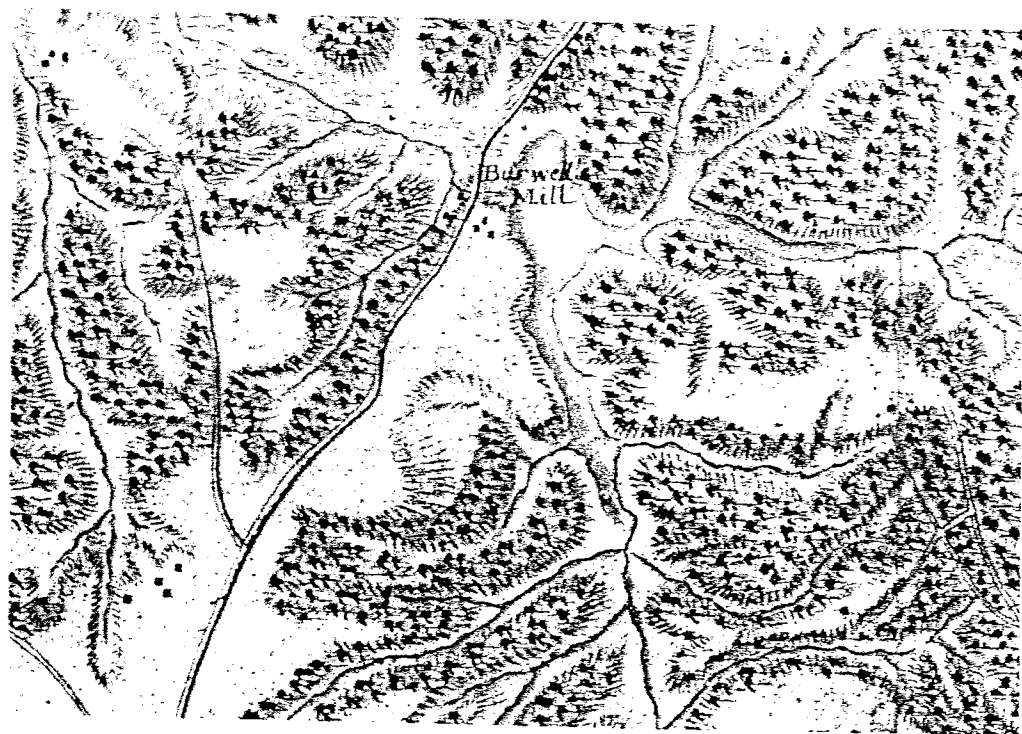


Figure 6. Detail, *Carte des Environs de Williamsburg* (Desandrouin 1781).

"Negro Quarter." It appears that these were the buildings depicted by Desandrouin in 1781 (Simpson et al. 1984: 47-48).

By the early years of the nineteenth century, the political, economic, and social center of Virginia had gravitated westward from Williamsburg, and Nathaniel Burwell—like many of his well-to-do neighbors—left the area to establish a new home at Carter Hall near the town of Millwood in Clarke County. From then until his death in 1814, Burwell leased the mill, which remained a potentially profitable enterprise. A description of the mill lot in an 1810 lease agreement with John Ellis and Richard Whitfield offers an important clue as to the extent of the property and the location of its associated resources:

Beginning at a small black Walnut in the Mill Race fr. Thence up of Valley to a blazed pine from Thence to a white oak fr. Thence across the Stage Road to an old Brick kiln taking in the Boiling Spring; from on the Brick kiln taking in a small thicket of pines to the Mill pond, thence running along the pond so as to take in the Houses and distillery, with all the waters above and below the said Mill also all and singular the ways conveniences and appurtenances, etc. (Simpson et al. 1984: 52).

After 1814, it appears that the rights to operate the mill continued to be leased out while the property remained in Burwell's estate. In 1828, however, the Burwell heirs decided to sell the property and divide the proceeds, at which time Thomas Hugh Nelson Burwell acquired controlling interest. In 1835, Burwell's tenant Henry Edloe bought the mill for \$1,600. Edloe subsequently made significant improvements to the mill, now more than 80 years old, and profitably sold it in 1838 to Scervant Jones, a well-known Baptist minister in Williamsburg. Scervant was less fortunate, however, selling the property five years later for a mere \$500 to Robert Saunders, a professor and president of the College of William and Mary. At some point in the 1850s, Saunders appears to have sold the mill to Richard Whittaker, who lived nearby on the former Mill Quarter property that he had purchased from Thomas Hugh Nelson Burwell in 1839. Although small rural mills were rapidly becoming obsolete in the mid-nineteenth century, "Dick Whittaker's Mill" continued to supply flour to local customers, including the mental hospital in Williamsburg. When Whittaker died in 1858, his son Thomas W. Whittaker inherited the property (Simpson et al. 1984: 27-30).

Neither Thomas Whittaker nor the mill would survive the Civil War. Whittaker died in 1862, and his real estate, including the mill—reportedly destroyed the same year—was sold at public auction in 1868. The buyer soon defaulted on the mortgage, however, and a re-sale was ordered, the first of many in subsequent years as a series of purchasers tried, and failed, to revive the fortunes of this increasingly derelict property. By 1890, the mill had been idle for a generation; the creek had broken through the dam, the pond had dried up, squatters lived in the ruined buildings, and scavengers had made off with whatever building materials could be easily carted away. In that year, the most recent owner of the property petitioned the county court to annul the sale, given that he could not obtain clear title to the former pond land essential to bringing the mill back into operation. The testimony of local witnesses in this case provided an invaluable

description of the mill lot in its waning years. Describing a visit to the site, R. T. Armistead wrote:

I went on the premises and found a Negro man named Brown occupying the house on the premises known as the miller's house (the mill at that time was in dilapidation [sic]). This man Brown had lived there for some years. . . . I could not find from him any-thing in the way of land attached to the Mill-site but a small garden spot attached to the Miller's house, which including that upon which the Mill-house was built and the yard between did not amount to more than one half acre (Simpson et al 1984: v. II, VI: 9).

After the U.S. Navy acquired the property on the east side of Kings Creek for the Navy Mine Depot (now Naval Weapons Station Yorktown) in August 1918, the old Williamsburg-Yorktown Road quickly fell into disuse. Once a significant landmark on a well-traveled and important thoroughfare, the mill site had by the latter years of the twentieth century been all but forgotten by the residents of this rapidly growing area. It was only through the fortuitous discovery of Nathaniel Burwell's mill daybook and ledger, the persistent research of Alan Simpson and associates, and the first tentative archaeological investigations of the Colonial Williamsburg Foundation in the early 1980s that this important piece of York County's history was rediscovered.

B. The Burwells' "Mill Quarter" (1740-1800)

Carter Burwell came of age in 1737, and when he moved to Carter's Grove the following year he began—like any good eighteenth-century gentleman-planter—to keep a ledger recording his business dealings. In this ledger he kept track of his several York County quarters, plantations worked by groups of his slaves under the supervision of an overseer. One of these farms, known as the "Mill Quarter," encompassed approximately 260 acres on the west side of Kings Creek along the Williamsburg-Yorktown Road (Simpson et al. 1984: 20).

In her exhaustive study of the extensive slave community held by the Burwell family from the seventeenth century through the early nineteenth century, Lorena Walsh combed through the available documentary accounts, including ledgers, account books, and personal papers in an effort to reconstruct a social history of the nearly 300 African-Americans who lived and worked at the main plantation at Carter's Grove and the numerous satellite quarters in James City and York counties. In the course of her research, she identified some basic information concerning the relatively small "Mill Quarter" in the early 1740s at the beginning of the Burwell era. Between 1740 and 1745, the following adult slaves were living on the property: Old Nan, Charlotte, Will, Old Cato, Joshua, and Fanny, along with a young boy named Jemmey. Walsh speculated that Old Nan and Old Cato were most likely members of what she termed the "York-Gloucester group" of slaves who had been in the Burwell family since the latter seventeenth century, and were mostly first- or second-generation native-born Virginians. The others, however, may have been recently enslaved Africans brought to Virginia around the time Carter's Grove plantation was established in 1738. This pattern appears

to have been typical of Carter Burwell's slave owning strategy; "he seems generally to have followed a divide and conquer strategy that encouraged cultural merging, assigning a mix of creole and African-born workers to each of the various quarters," Walsh notes (Walsh 1997: 7, 115, 237-38).

Nathaniel Burwell inherited his father's York County holdings, including the Mill Quarter, when came of age in 1771. During this period the farm yielded a variety of agricultural products, including corn, barley, wheat, tobacco, cider, mutton and wool, pork, veal, butter, and milk. It appears that the Mill Quarter did not typically have a resident overseer; John Ross, who supervised Burwell's laborers on the property, also was the overseer at the home plantation at Carter's Grove, suggesting he may have delegated some of his duties to his slave assistant Phil. In the 1780s, Burwell relied on Edward Brooks, who owned his own modest plantation nearby, to run the Mill Quarter, while a later overseer, John Slaughter, was responsible for at least one of Burwell's other York County properties (Simpson et al. 1984: 75-76).

Although they were instrumental in making the Mill Quarter a profitable agricultural property, virtually nothing is known about the African-Americans who lived and labored there during the eighteenth century. Given the fragmentary nature of the documentary record, it is extremely difficult to reconstruct any detailed description of the small African-American community at the Mill Quarter before the Burwell family left the area in the early nineteenth century. However, the York County personal property tax lists from 1784 through 1786 provide at least the names of the slaves who lived here during those years. They included: Abraham, Ben, Amos (who is known to have been working as a miller in 1778), James, Tony, Alice, Beck, two women named Jenny, and a child named Caesar (York County Personal Property Tax Books, 1784-86).

It is not clear exactly where the Mill Quarter slaves resided, although the cartographic evidence suggests that they occupied at least one of the buildings depicted by Desandrouin in the vicinity of the mill (see Figure 6), which was likely the single 12-by 16-foot "Negro Quarter" described in the 1798 Continental Assessment. Archaeological evidence of slave housing collected over the past thirty years indicates that dwellings remained relatively consistent in size and construction throughout the eighteenth century. Aptly described as "hastily built shacks," slave dwellings typically consisted of post-in-ground structures with dirt floors and wooden, clay-daubed chimneys. Dimensions varied: in her analysis of property advertisements in the *Virginia Gazette* between the 1730s and the 1770s, Camille Wells discovered that the measurements of slave houses varied from 8 by 12 feet to 20 by 40 feet. On average, the quarters described in the *Gazette* encompassed 345 square feet, comparable in size to the smallest 21 percent of planter houses. Other estimates of slave dwelling size range as low as 288 square feet. As such, it is clear that the 192-square-foot dwelling at the Mill Quarter was considerably smaller than the norm. In general, it has been estimated that each slave could expect approximately 50 square feet of living space. As such, it appears that this one building might well have accommodated most of the five or six adult slaves on the property at any given time, especially if one or more may have lived and worked at

the mill itself (Walsh 1997: 181; Wells 1993: 16; Orser 1988a: 15-16; Orser 1988b: 15-16; Kulikoff 1986: 338, 346).

C. Brick Clamp

No documentary record has yet been identified that definitively indicates when the brick clamp on the property may have been used, or for what purpose. However, a handful of references give some clue as to its date. To begin with, "an old Brick Kiln" was referenced as a visible landmark in an 1810 lease of the mill lot, indicating that it certainly dated to the Lightfoot-Burwell era (ca. 1720-1800). It must also have predated the 1785 repairs that were made to the mill, as Williamsburg brick mason Humphrey Harwood was paid for providing only 2,500 bricks for that project, far fewer than would have been produced by this clamp as the later archaeological analysis will demonstrate. Similarly, the size and capacity of the clamp was larger than would have been necessary for effecting the relatively minor improvements made to the mill by Nathaniel Burwell in the 1770s. As such, the clamp most likely relates either to the construction of the original Philip Lightfoot mill of the early 1720s, or its successor reconstructed on the same site by Carter Burwell in the early 1750s.

Although relatively little is known about this particular clamp, the history of pre-industrial brick manufacturing is well documented. Brick making changed little in Virginia from the fledgling industrial efforts of the Jamestown colonists in the early seventeenth century through the years leading up to the Civil War, relying on what was essentially a medieval technology to create this important building product. Before the widespread mechanization of the industry in the nineteenth century, the process of making bricks consisted of five basic steps: mining (or "winning") clay; preparing the clay; molding the bricks; drying them; and finally, firing, or "burning" the bricks (Gurcke 1987: 3-4).

Mining/Winning

Practically all clay used to make bricks in Virginia from the seventeenth through the nineteenth century was obtained through surface mining. After removing the overburden, a process known as "encallowing," clay was dug by hand from relatively shallow pits. The size of these pits varied significantly, depending upon the size of the brickmaking operation. As a rule, Philadelphia brickmakers found that clay mined from a pit encompassing 64 cubic feet would yield a total of 1,000 bricks, which worked out to be just over 15 bricks per cubic foot. Brickmakers typically mined clay during the winter months, as exposure to frost and snow was important to the subsequent process of drying (Gurcke 1987: 4-6; Harrington 1950: 25).

Preparation

Once removed from the ground, the clay required extensive preparation before it could be used. First the raw clay was heaped in large piles and left through the winter months. Freezing helped to break up and crumble the larger lumps of clay, while rain washed out the soluble salts that would otherwise tend to form a white scum on the finished bricks as they aged. The piles were broken up occasionally throughout the

winter, and cut and slashed to expose the interior of the piles to the weather. In most cases, one season of weathering was sufficient to reduce the clay to a workable state.

Once the clay had been sufficiently weathered, it was subjected to an extensive tempering process in the spring. The most basic method of tempering involved spreading the clay out over a level ground surface, sprinkling it with water, then allowing it to be trampled underfoot by people, horses, or oxen until it became pliable. Brick makers also frequently used a "soak pit," a rectangular hole typically measuring 4 feet by 6 feet, to soak the clay overnight. The following day sand or coal dust was mixed in before the clay was shoveled out into a ring or tempering pit, a circular pit 25-30 feet in diameter by 3 feet deep. A horse-powered iron wheel would then be used to mix the clay evenly.

The earliest mechanical device used in clay preparation was the pug mill, which was used either alone or in combination with other methods, depending on the nature of the clay. Early pug mills were simply wooden tubs with a vertical shaft of wood running through it. Attached to the shaft was a series of blades that when rotated would serve to mix the clay as it made its way from the top to the bottom of the mill.

Various materials were added to the clay as it was being prepared to increase its workability and to prevent shrinking or cracking during the drying stage. These additives also served to lower the temperature at which vitrification occurred during firing, or to change the color of the final product. The most common additive was water, which was used to make the clay more pliable. Sand tended to reduce the potential for shrinking and cracking, and stiffened clay that was overly moist. Brick makers also occasionally added "grog," or previously burned clay ground to a powder form, to achieve a similar effect (Gurcke 1987: 6-13; Harrington 1950: 29).

Molding

Once the clay had been prepared, it was molded into the proper shape for firing. Until the advent of brick making machines in the mid-nineteenth century, bricks were shaped by hand in a process dominated by skilled molders who had their own special tools and vocabulary. The mold was typically a simple wooden box, lubricated with either water or sand (hence "water-" or "sand-struck" bricks). The molder would take a "clot" (also known as a "wauk," "walk," or "warp") of clay from the pile, form it roughly by hand, slam it forcefully into the mold, make sure that it filled all the corners, then "strike" it with a straight-edged instrument to trim the excess off the top. The resulting molded "green" brick would be somewhat larger than the final product, taking into account the expected shrinkage from firing. A late seventeenth-century account of brick making estimated that a molder could turn out between 1,000 and 3,000 bricks in a 15-hour day, depending on how much experience and assistance he had (Gurcke 1987: 13-24; Harrington 1950: 29-31).

Drying

It was important that the green bricks be properly dried: if they contained too much moisture they would be destroyed in the kiln; if too dry, they would fall apart when handled. First the bricks were laid out on the ground for 24 hours, with each brick losing

about one pound of water through evaporation. Then they were "skintled," or turned on edge so they would continue to dry uniformly. When sufficiently dry, they were "hacked," being stacked in low walls with enough space between rows to allow for air circulation. During the drying stage it was crucial that the green bricks be protected from rain or frost, or else they soon would revert to mud (Gurcke 1987: 24-27; Harrington 1950: 32).

Firing

Of all the steps, the firing process was most critical in determining the quality of the bricks, including their shape, color, and strength. "Burning" the bricks involved a seamless three-step process of firing at increasingly high temperatures to produce the desired result. The first stage was known as "water smoking," which referred to the steam that rose from the green bricks as the temperature was raised to 250°-350° F. When the steam had ceased, the temperature was increased gradually to a red heat, approximately 1,400°-1,800° F. During this "dehydration" stage, the water that was chemically combined with the clay was driven off. This stage required a substantial amount of oxygen, so a strong draft had to be maintained at all times. During the final phase, known as vitrification, the temperature was raised once again to 1,600°-2,200° F, while the kiln was sealed to reduce the amount of oxygen being introduced. At this point the clay softened, the pores spaces filled in, and the larger grains began to adhere to one another. The brick maker's goal at this point was to obtain the greatest amount of shrinkage, or "settle," in the bricks while not allowing them to become deformed. Once the kiln had settled adequately, the fires were doused and the bricks were allowed to cool slowly over a period of 48-72 hours. As in all the stages of the firing process, the judgment and experience of the brick maker was critical at this point. If the kiln were opened too soon the bricks would be damaged, becoming too brittle or cracking. All told, the firing process could take up to seven days.

Before the advent of mechanization, the vast majority of bricks made in Virginia were fired in temporary "scove" or field kilns. Scove kilns were constructed from the green bricks themselves. Constructed in sections, the bottom of each section had an arch or firebox running the length of the kiln. After the kiln had been properly constructed, or "set," with the stacked bricks, it was covered with a shell of burnt brick and daubed with mud to prevent unwanted drafts of air. The arches under the sections were left open to allow the brick maker to light and feed the fires until the final stage of burning when they were blocked with stones or iron doors.

The term "clamp" is often used interchangeably with scove or field kiln. Though both are examples of temporary, "updraft" kilns—i.e. both are constructed of green bricks, and the heat is generated at the bottom and rises through the kiln—the two types differed somewhat in their method of construction. Consisting of a series of walls, or "necks," clamps had "live holes," rather than arches, to channel the heat through the kiln's interior. In fact, the pattern of laid bricks used to construct clamps differed significantly from that of scove kilns; however, both types shared similar disadvantages. Since no effort was made to recirculate the heat through the kiln, the quality of the fired bricks depended largely on where they were situated. Bricks at the bottom were overly

burned, becoming vitrified "clinker" brick, while those on top were under fired. After each burn, the brick maker would carefully sort the bricks. The best were reserved as "face bricks" for exterior building veneers, while the remainder of the well-fired bricks served for all-purpose construction. Unevenly burned bricks, known as "gussels" or "guzzles," were set aside for temporary uses, as they could not withstand weathering or carry loads in buildings. Soft, or underfired, bricks were used for non-load-bearing interior walls or other unexposed areas, or occasionally reburned in the next clamp (Gurcke 1987: 28-38; Harrington 1950: 25-29, 33-34).

D. War Comes to the Mill (1781, 1862-1863)

By the time of the American Revolution, the Williamsburg-Yorktown Road that crossed Kings Creek at Burwell's Mill was well worn, having been used for well over a century. As the principal route between the colonial capital and the important port on the York River, the road saw heavy military traffic during the Yorktown Campaign of September-October 1781. In September 1781, the First Pennsylvania Regiment encamped at the "very advantageous post" on the plateau south of the road, opposite Burwell's Mill. One of its officers, a Lieutenant Feltman, recorded that he observed a strange plant (rice, he was told) growing throughout the marshy lowlands near the mill. Here the Pennsylvanians fended off a sally by Banastre Tarleton's dreaded British cavalry during the Yorktown siege, and returned briefly after the British capitulation on their march back up the Peninsula. Given the relatively brief duration of their encampment here, however, it is unlikely that significant archaeological evidence of their occupation would remain (Feltman 1969: 12-13).

Eighty years after Lieutenant Feldman and his compatriots camped at Burwell's Mill, the Williamsburg area was once again engulfed in armed conflict. In the opening months of the war, Union leaders became convinced that if they could move up the James-York peninsula to Richmond, they could capture the Confederate capital and bring the war to a timely end. Recognizing the threat of a federal assault, the Confederate forces determined that a series of strong defensive lines would be necessary to defend the Peninsula. In May 1861, Colonel Benjamin S. Ewell, then serving as President of the College of William and Mary, was given temporary command of the Confederate land forces on the Peninsula, with responsibility for defending the area between the James and York rivers. Soon after, Ewell planned a defensive line east of Williamsburg, comprised of a series of interlocking earthworks between the two rivers. After a visit to Williamsburg, Confederate commander General Robert E. Lee approved Ewell's plan and construction soon commenced. Ewell was soon replaced by his friend, Major General John Bankhead Magruder. After some debate over the proposed alignment of the fortifications, construction of the Williamsburg line was in full swing by the summer of 1861. Enslaved Africans provided the bulk of the labor, but it was often difficult to maintain consistent progress on the Williamsburg defenses, given the number of military construction projects then underway throughout the Peninsula, and the resistance of local slave owners to having their slaves "impressed" for construction details (Hastings and Hastings 1997: 39-45).

When it was finally completed in the spring of 1862, the Williamsburg line stretched more than four miles from Tutters Neck Pond on the Confederate right to Jones Pond and Cub Dam Creek on the left. Beyond the main defenses, the Confederates built a smaller one-gun battery on the heights overlooking Whittaker's Mill to guard the strategic point where the Williamsburg-Yorktown Road crossed Kings Creek (Figure 7). It was this relatively small position within the project area that was occupied by a detachment of Confederate troops during the winter of 1861-62 (see arrow, Figure 7).

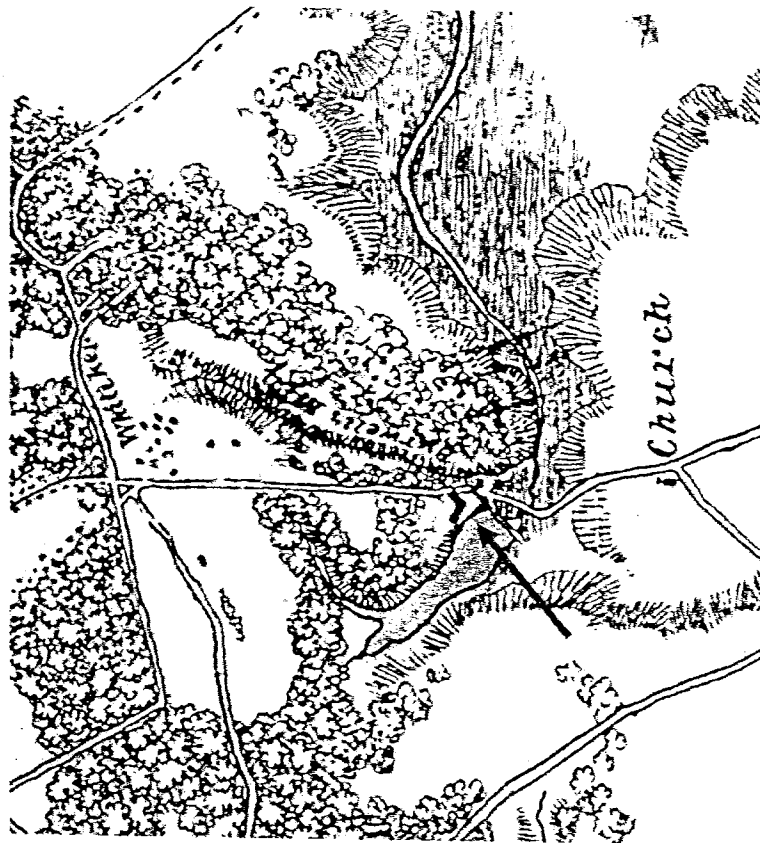


Figure 7. Detail, *Yorktown to Williamsburg* (Abbott 1862).

On October 3, 1861, Magruder issued General Order No. 89, re-organizing the Army of the Peninsula, and preparing winter billets for the men under his command. "The troops will be hutted for the winter," he ordered, "under the direction of the commanding officers of regiments and detachments, the work to be performed by details from each command" (United States War Department 1972, *OR*, Ser. 1, v. 4: 670).

The Confederate troops fashioned their winter quarters to maximize their comfort during the cold months ahead. Though camps were not always laid out according to exacting military standards, there was a pragmatic consistency to their topographical situation. Veteran "relic hunter" Howard R. Crouch learned by experience that "the winter camps nearly always followed the standard rule—built into the southern slopes or

tops of hills (to gain the most of the day's sun) with a creek at the bottom" (Crouch 1992: 129).

With the onset of winter, the most effective way for troops to keep warm and dry was to build semi-subterranean huts. If the camps themselves often lacked a rigid military order, the individual dwellings were even more haphazard. The men were given only the most general of instructions, so the style and appearance of each dug-out hut depended largely on the skill and experience of the builder, and the materials at hand. Regardless of skill, hut builders of both the Confederate and Union armies generally followed a familiar pattern. "In the first place," recalled one Federal sergeant,

we dug out a hole in the ground about 10 feet long by nearly 6 feet wide, and 18 inches deep. Over and about this we erected a hut four feet high, composed of notched slabs, making a doorway, or rather sort of a creep-hole, in the gable ends, and plastering the holes and cracks with mud and grass. We next put up a ridge-pole, over which we stretched our shelter-tents, to the height of about three feet above the walls, thus giving ample pitch and forming a neatly-proportioned hut; after this work we scooped out a tunnel, four feet long, through the ground, with a opening on the surface; whereupon, through the acquisition of four mess-pork barrels and the addition of a stout sapling to brace the same, we were soon provided with an excellent flue or chimney, and then making the mouth of the oven, thus formed, wide and spacious, we were afforded a fine fire-hearth, as well as a very comfortable and convenient abode, as it were, for our labor, efforts and trouble; for it was not the work of one day alone, but that of the leisure hours allotted to us during several days (Sprenger 1885: 204).

The typical hut, particularly for the enlisted men, was small and cramped, but homey nonetheless:

Come with me into one of the log huts. . . .The door we are to enter may be cut in the same end with the fire-place. Such was often the case, as there was just about unoccupied space enough for that purpose. But where four or more soldiers located together it was oftener put in the centre of one side. In that case the fire-place was in the opposite side as a rule. In entering a door at the end one would usually observe two bunks across the opposite end, one near the ground (or floor, when there was such a luxury, which was rarely), and the other well up towards the top of the walls. I say, *usually*. It depended upon circumstances. When two men only occupied the hut there was one bunk. Sometimes when four occupied it there was but one, and that one running lengthwise. There are other exceptions which I need not mention; but the average hut contained two bunks.

The construction of these bunks was varied in character. Some were built of boards from hardtack boxes; some of barrel-staves laid

crosswise on two poles; some men improvised a spring-bed of slender saplings, and padded them with a cushion of hay, oak or pine leaves; other obtained coarse grain sacks from an artillery or cavalry camp, or from some wagon train, and by making a hammock-like arrangement of them devised to make repose a little sweeter. At the head of each bunk were the knapsacks or bundles which contained what each soldier boasted of personal effects. These were likely to be under-clothes, socks, thread, needles, buttons, letters, stationary, photographs, etc. The number of such articles was fewer among infantry than among artillerymen, who, on the march, had their effects carried for them on the gun-carriages and caissons. But in winter-quarters both accumulated a large assortment of conveniences from home, sent on in the boxes which so gladdened the soldier's heart.

The haversacks, and canteens, and the equipments usually hung on pegs inserted in the logs. The muskets had no regular abiding-place. Some stood them in a corner, some hung them on pegs by the slings.

Domestic conveniences were not entirely wanting in the best ordered of these rude establishments. A hardtack box nailed end upwards against the logs with its cover on leather hinges serving as a door, and having suitable shelves inserted, made a very passable dish-closet; another such box put upside down on legs, did duty as a table—small, but large enough for the family, and useful. Over the fire-place one or more shelves were sometimes put to catch the *bric a brac* of the hut; and three- or four-legged stools enough were manufactured for the inmates. But such a hut as this one I have been describing was rather *high-toned*. There were many huts without any of these conveniences (Billings 1887: 74-76).

After a relatively quiet winter anticipating the inevitable Federal spring campaign, the troops posted to Whittaker's Mill would finally see action in May 1862, as the siege of Yorktown ended and both armies began moving west. When the Confederate forces began to evacuate Yorktown on the night of May 3, 1862, J.E.B. Stuart's cavalry brigade was deployed to cover the main roads leading to Williamsburg. The 4th Virginia Cavalry regiment under the command of Lieutenant-Colonel Williams Wickham, and a detachment of Colonel Thomas J. Goode's 3rd Virginia Cavalry, were ordered to protect the Williamsburg-Yorktown Road, and took up positions at Whittaker's Mill. The veteran Confederate troopers, exploiting their strategic position on the high ground overlooking the crossing at Kings Creek, rapidly threw up breastworks in the woods along both sides of the road and awaited the inevitable Union assault (Hastings and Hastings 1997: 32-33).

By noon of May 4th, Federal cavalry under Brigadier General Phillip St. George Cooke began to advance up the Williamsburg-Yorktown Road, skirmishing with the advance Confederate pickets and driving them back to Whittaker's Mill. The 6th U. S. Cavalry led the initial advance against the rebel positions at the mill, exchanging fire with

the entrenched defenders. Cooke arrived soon after, and, seeing that his troopers were meeting stiff resistance, ordered an artillery battery to be brought forward. The Union guns arrived and began firing at the Confederate positions at relatively close range. When this failed to dislodge them, Cooke ordered the 6th U.S. Cavalry to charge the breastwork. Before the attack could be carried out, however, the Confederates withdrew, leaving behind two burned wagons and a spiked howitzer. As the Union advance on Williamsburg continued, McClellan and his generals established their headquarters nearby at the Whittaker House, where they would remain through the subsequent battle (Hastings and Hastings 1997: 32-33).

A watercolor sketch by Union Private Robert Knox Sneden, one of hundreds of his Civil War era drawings only recently discovered, provides an unusually detailed depiction of the Whittaker's Mill area shortly after the Battle of Williamsburg (Figure 8). Sneden's image clearly depicts the mill, the millrace—spanned in at least two places by wooden bridges—a modest frame dwelling with brick end chimney (identified as “Whittaker's house” but actually the miller's house) and a small log outbuilding. By this time, the area clearly had been altered significantly by its military occupation. The imposing single-gun battery loomed over the mill, while the remains of the Confederate breastworks erected before the Battle of Williamsburg were still in place at the toe of the slope. South of the Williamsburg-Yorktown Road was the “rebel camp,” situated on a gentle south-facing slope adjacent to the millpond. The winter camp appears to have been comprised of a mixture of tents and semi-subterranean log huts. Stumps in the foreground of the sketch suggest that the Confederates had felled trees to create a clear line-of-fire up the road. Sneden also noted the spiked artillery piece that had been unceremoniously dumped into the millpond by the retreating rebels.

When the ill-fated Peninsula Campaign came to a close in the summer of 1862, the Williamsburg area remained under Union control, with a Federal detachment posted to protect against the Confederate units that continued to launch sporadic raids in the area. During the fall of 1862 and the spring of 1863, the 5th Pennsylvania Cavalry was encamped near Whittaker's Mill, a short distance to the east on the road to Chiskiack (or “Cheesecake”) Church (Figure 9). A Union hospital also was established nearby. Garrison duty proved largely uneventful for the troopers, but on March 29, 1863, the tedium was broken by a small-scale, yet noisy, Confederate attack on Union pickets in Williamsburg. Local resident William Douglas later reported that he could see columns of smoke rising from the Federal camps at Fort Magruder and Whittaker's Mill, as the troops burnt their stores to prevent their capture in the anticipated assault (Dubbs 2002: 277-78, 283, 287-88).

Less than two weeks after the Williamsburg skirmish, the Federal troops near Whittaker's Mill would face a far more devastating incursion. On April 11, 1863, Confederate troops under the command of Brigadier General Henry Wise launched another attack on the U.S. pickets in Williamsburg, this time driving them back to Fort Magruder. The 5th Pennsylvania Cavalry proceeded immediately to the fort to assist in its defense. Meanwhile, a smaller Confederate raiding party led by Colonel William A. Tabb managed to sneak up on the Whittaker's Mill camp, capture its guards, destroy most

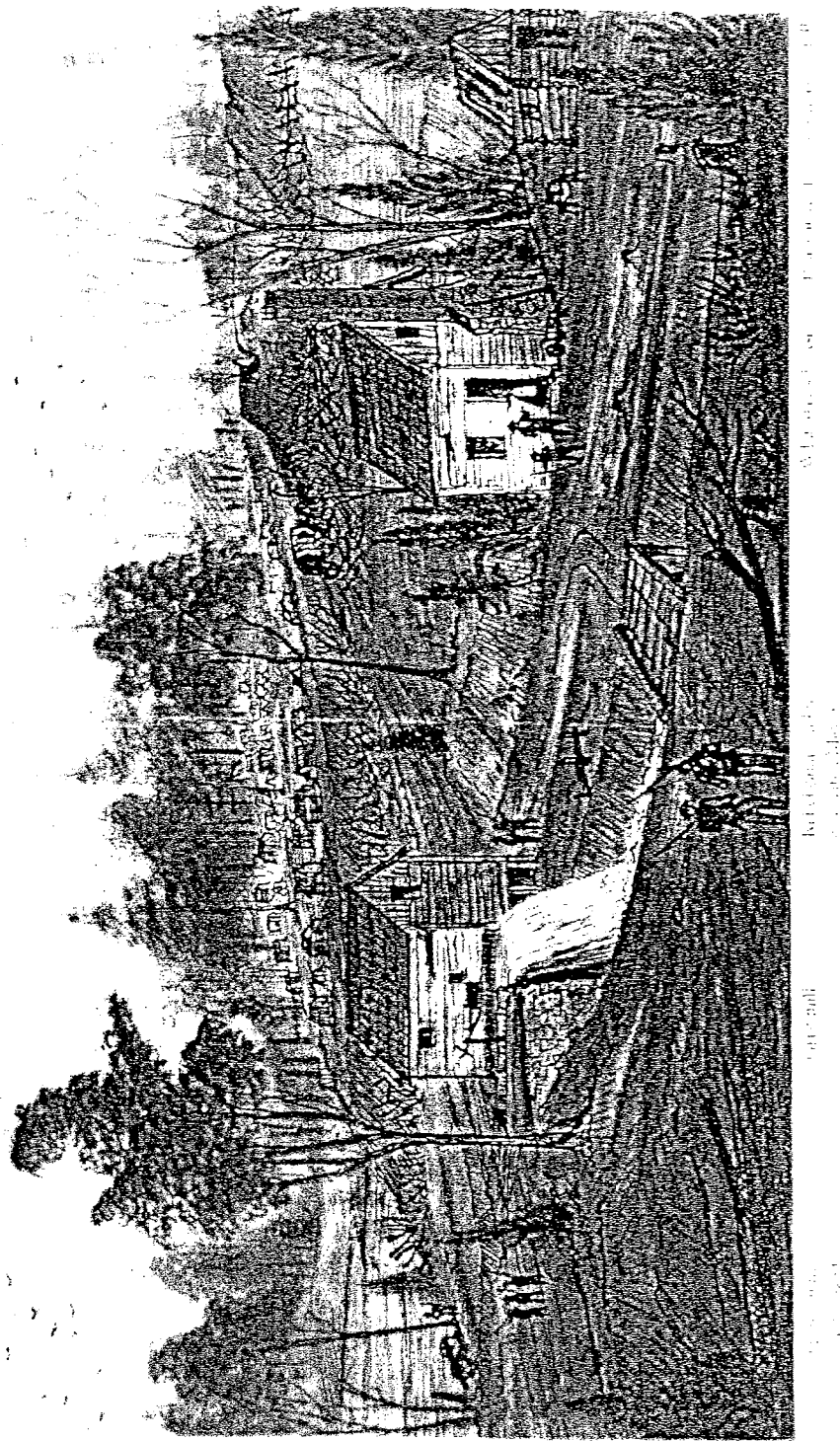


Figure 8. *View of Whittaker's Mill near the battlefield of Williamsburg, Va.* Sketched May 4, 1862 (as reproduced in Bryan et al. 2001). Courtesy of the Virginia Historical Society.



Figure 9. Detail, *Military Map of a Part of the Peninsula from Fort Monroe to Williamsburg* (Dix 1862).

of the commissary stores, burn the hospital, and parole the patients. Despite indulging themselves in captured Federal liquor, the Confederate raiders reportedly treated the officers' wives "with the greatest consideration," allowing them to keep their personal effects. This raid proved a considerable embarrassment for the Union occupiers, but elevated Tabb to hero status in pro-secession Williamsburg (Dubbs 2002: 293-94).

VI. CONCLUSIONS AND RECOMMENDATIONS

During the months of June and July 2005, JRIA conducted Phase II archaeological evaluations at four sites located on the Whittaker's Mill tract in York County, Virginia (see Figures 1, 2, and 3). Approximately 225 acres in size, the tract is bound by Highway 64 and an exit ramp to Route 199 on the south and east, by Kings Creek on the west, and by Water Country USA on the north (see Figure 2). Archaeologists affiliated with the Department of Archaeology at the Colonial Williamsburg Foundation originally identified sites 44YO394, 44YO395, and 44YO396 during a preliminary Phase I survey in 1983 (Hunter 1984). A portion of the historic Williamsburg-Yorktown Road that passes through the Whittaker's Mill tract (44YO1026) received a formal Virginia site inventory number in 2003 (Laird and Lutton 2004). The Whittaker's Mill tract is owned by Premier Properties USA, Inc. which plans to develop the property for commercial purposes.

Upon the completion of Phase II evaluations three of the four sites were recommended as eligible for listing on the National Register of Historic Places (Table 9).

Table 9. Summary of sites and eligibility.

Inv. #	Type	Date	Eligible	Potential Effect	Recommend.
44YO0394	Multi-component: slave quarter; mill site; Civil War camp and earthwork	ca. 1740-1900	Yes	Direct	Avoidance or Phase III
44YO0395	Brick Clamp	ca. 1720 - 1780	No	Direct	No further work
44YO0396	Slave Quarter	ca. 1700 - 1750	Yes	Direct	Avoidance or Phase III
44YO1026	Historic Road	1700-1900	Yes	Direct	Preservation in place

44YO0394

Site 44YO0394 is located on a bluff overlooking the mill run for Whittaker's Mill (44YO0385) and beyond that the Kings Creek drainage basin (see Figures 3, 10, and 11). A host of historic components are present within the 250 ft. by 500 ft. boundaries of the site, including a Civil War winter hut chimney base and a nearby earthwork/gun emplacement, a colonial or antebellum brick clamp, a clay extraction pit associated with the nearby clamp, a robbed 30 ft. by 30 ft. late eighteenth-century foundation and surrounding artifact concentration, a 12 ft. brick foundation, a large artifact concentration dating to the second half of the eighteenth century when Carter Burwell and then Nathaniel Burwell operated the Mill Quarter on the property (see Figure 16).

In our estimation the research potential and the integrity of site 44YO0394 is very good. The 250 ft. by 500 ft. site has not been plowed since the Civil War and this raises the research potential. Aside from nominal damage from logging, site 44YO0394 represents an almost pristine archaeological site that nature has slowly reclaimed. Therefore, for these reasons we recommend that site 44YO0394 is eligible for nomination to the National Register of Historic Places under Criterion D. If preservation in place is not possible, a Phase III data recovery excavation is necessary to salvage the site before earthmoving disturbances can occur.

44YO0395

Site 44YO0395 consists of a colonial brick clamp located on top of a small knoll north of Whiteman Swamp and abuts up against the Williamsburg-Yorktown Road (44YO1026) (see Figures 10 and 24). The site is 110 ft. by 120 ft., and the clamp itself is approximately 25 ft. by 25 ft. in size and comprised of seven brick benches. All evidence suggests the clamp was fired once, probably to produce bricks for the construction of Philip Lightfoot's nearby mill in the 1720s, its rebuilding by Carter Burwell in the 1750s, or its renovation once again by Nathaniel Burwell in the 1770s. After documenting the dimensions of the clamp, detailing construction and contextual data, and sampling the site, we believe there is little additional data that can be extracted from it. Therefore, we feel that the research potential of the brick clamp at site 44YO0395 has been exhausted at the Phase II level, and accordingly, the site is not eligible for listing on the National Register of Historic Places. No further archaeological work is recommended.

44YO0396

Site 44YO0396 is located on a rolling terrace between Whiteman Swamp to the south and the Williamsburg-Yorktown Road (44YO1026) which forms the north boundary (see Figures 3 and 17). The site consists of two main components: the main scatter of historic artifacts dating to the first half of the eighteenth century and an isolated concentration of lithic material on the south slope overlooking the millpond (see Figure 17). The lithic concentration yielded slightly less than 1,400 artifacts, mostly quartzite flakes and debitage. The component functioned as a lithic reduction site during the Archaic period. The majority of the component has been heavily sampled to the extent that we believe its research capacity has been exhausted.

The historic component of 44YO0396 functioned as a slave quarter site in the first half of the eighteenth century while under the ownership of Philip Lightfoot. Although the site has been plowed, archaeologists identified ten subsurface features, including two probable sub-floor pits. The research potential for the slave quarter component is very good and therefore we recommend that it is eligible for nomination to the National Register of Historic Places under Criterion D. If preservation in place is not possible, a Phase III data recovery excavation is necessary to mitigate the site before disturbances can occur.

44YO1026

Site 44YO1026 consists of approximately a 2,900 ft. section of the historic Williamsburg-Yorktown Road (see Figures 3 and 29). The Phase II work at 44YO1026

did not involve any physical testing. Instead, the objective was to further document the potential significance of the historic road, collect additional documentary data, assess the integrity of the road, and make a determination its eligibility for nomination to the National Register of Historic Places. The road's eligibility hinges on two factors: historic significance and integrity.

The Williamsburg-Yorktown Road is one of the most historically significant roadways in Virginia and the 2,900 ft. section encompassed by site 44YO1026 is extremely well preserved and has high integrity. We recommend that the site is eligible for nomination to the National Register of Historic Places under Criterion A. Preservation in place of all or a portion of the site should be considered as a means of meeting Section 106 requirements as mandated by the National Historic Preservation Act of 1966, as amended (NRHP 2001). The exact manner of preservation should be determined by consultation with the appropriate regulatory agencies.

Historic Resources

Premier recognizes the historical significance of certain portions of the property and plans to work closely with York County and John V. Quarstein, a local historian, to determine the best overall course that reasonably and appropriately addresses these sites, but still allows the first class retail project to be a success. As such, the below sites will be addressed in the following manner (see Historic Resource Plan C1.2):

44YO385 – Burwell's Mill Complex

As recommended by York County and JRIA, the area containing Burwell's Mill will be left undisturbed by development activity and will be placed on the National Register of Historic Places. In addition, Premier intends to provide public access to this location – which will require necessary VDOT / FHWA approval for an additional access break off the proposed North Access Road – so that citizens are able to interpret the importance of the site. A Virginia Civil War Trails ("VCWT") style area will be provided and signage will be installed which will interpret the site. Finally, Premier intends to place a Virginia Department of Historic Resources ("VDHR") Conservation Easement protecting this historic property on this location and will donate the land to a suitable non-profit organization. These actions will secure this national register property for future generations.

44YO1026 – old Williamsburg – Yorktown Road

As recommended by JRIA, a 900-foot section of this historic road trace will be preserved in place for the enjoyment of citizens and, if appropriate, will be placed on the National Register of Historic Places. This action will preserve not only one-third (1/3) of this road trace within the Premier property, but also the viewshed from the Civil War earthwork looking down the road to King's Creek. This location will be accessed by the VCWT area mentioned above and additional signage shall be placed interpreting the roads significance. It is intended for the VDHR Conservation Easement created for Burwell's Mill Complex to encompass the historic road. Finally, the feature will be included as part of the donation area mentioned above on behalf of a suitable non-profit organization.

44YO394 – Multi-component site #1

As recommended by JRIA, the majority of this site will be preserved in place and will be placed on the National Register of Historic Places. This majority of this site is also thought to be part and parcel to the VDHR Conservation Easement of Burwell's Mill Complex and included with the donation of sites 44YO385 and 44YO1026. The site will be accessed by the VCWT pedestrian area mentioned above and additional signage will be placed which will reference the particular components identified in this area.

The small, western-most area of this location will be disturbed and it is the recommendation of Premier that a Phase III Archaeological Evaluation be performed to recover artifacts prior to development activity. The small area cannot be avoided due to the necessary location of the North Access Road and limiting effects of adjacent Resource Protection Area.

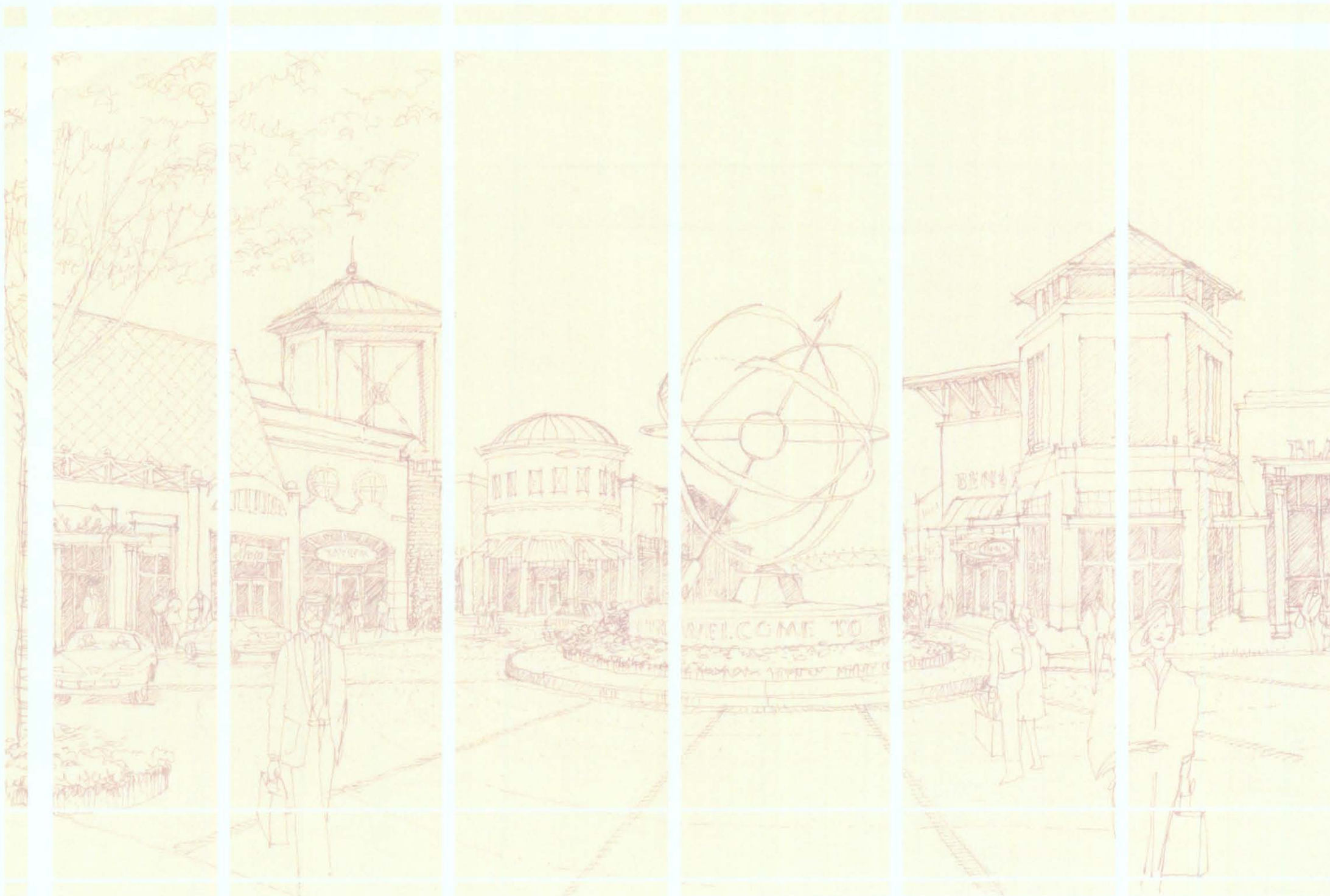
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44YO396 – Multi-component site #2

There are two (2) components to this location; 1.) Lithic Reduction Component, and 2.) Possible Slave Quarter Component.

Although Premier Properties has taken every effort feasible to foster the preservation and interpretation of visible historic features, this archaeological resource does not offer an opportunity for the public to interact with a historic site like the aforementioned historic mill site and Civil War earthwork. Of the two historic components of this large, yet undefined site, the Lithic Reduction Component does not warrant further study. The possible Slave Quarter Component, however, offers a valuable opportunity to explore this site. Premier will perform a Phase III data recovery to mitigate this area prior to disturbance. Once this work has been completed, Premier will exhibit and interpret these artifacts in an adjacent building. Even though this site will be used for parking, a section will be designated as a 'park area' with landscaping, special surface treatment, benches and interpretative signs. Since this site does not have any visible aspects and the archaeological recovery will primarily yield information and artifacts, Premier believes this is the most effective method of sharing this history with the public



MAIN ENTRY ARCHWAYS

- BRICK / CAST STONE PIERS
- CONTEMPORARY LANTERN LIGHTS
- METAL TRELLIS

ZONE #2

- SIMILAR ARCHITECTURAL ELEMENTS
- UNIQUE LIGHTING
- METAL TRELLISES, WOOD BEAMS, PORCHES, CANOPIES, ETC..
- ONE (1) STORY BUILDINGS @ 22' TO 24'
- ONE (1) STORY CORNER BUILDINGS @ +/- 30'

GROUND SIGNS

- BRICK / CAST STONE PIERS
- CONTEMPORARY LANTERN LIGHTS
- METAL TRELLIS

ZONE #1

- SIMILAR ARCHITECTURAL ELEMENTS
- UNIQUE LIGHTING
- METAL TRELLISES, WOOD BEAMS, PORCHES, CANOPIES, ETC..
- ONE (1) STORY BUILDINGS @ 22' TO 24'
- ONE (1) STORY CORNER BUILDINGS @ +/- 30'

SECONDARY ENTRY ARCHWAYS

- BRICK / CAST STONE PIERS
- CONTEMPORARY LANTERN LIGHTS
- METAL TRELLIS

CENTRAL PLAZA GATEWAY

- SCULPTURAL ELEMENT W/ LOGO INSET
- CONTEMPORARY LANTERN LIGHTS
- BRICK / CAST STONE BASE

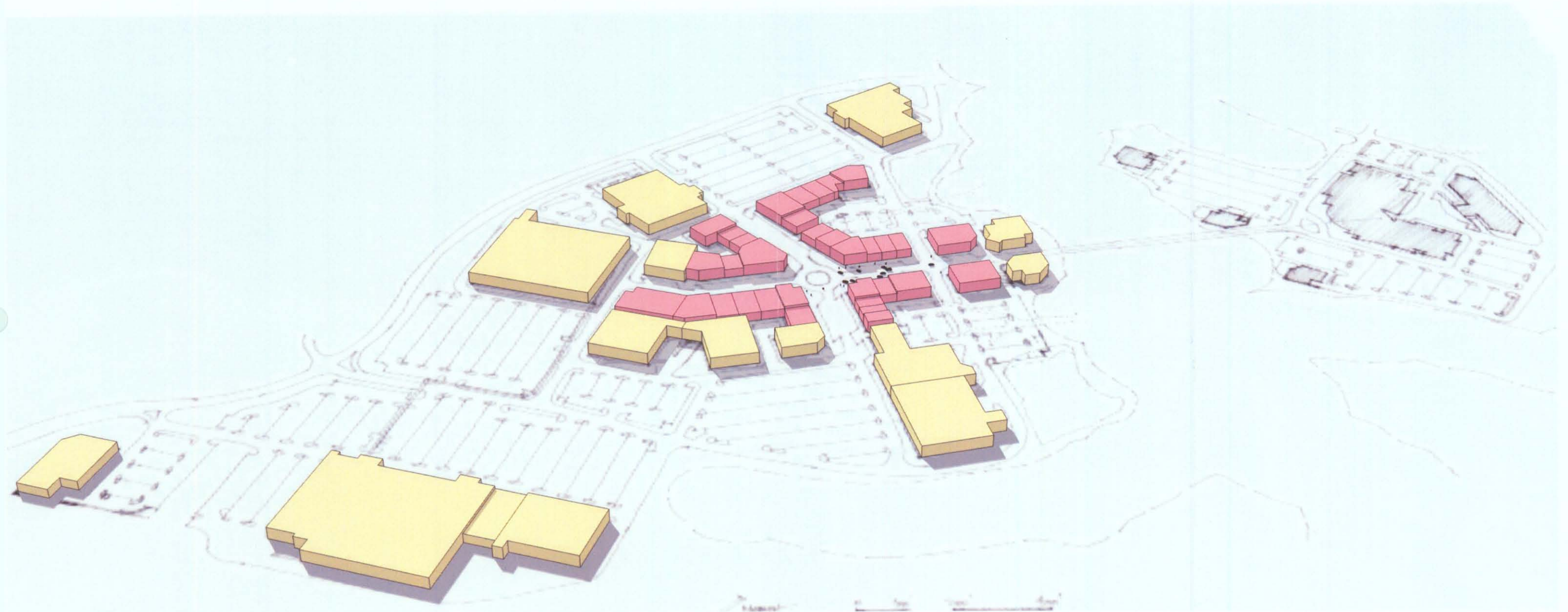
BRIDGE ELEMENT

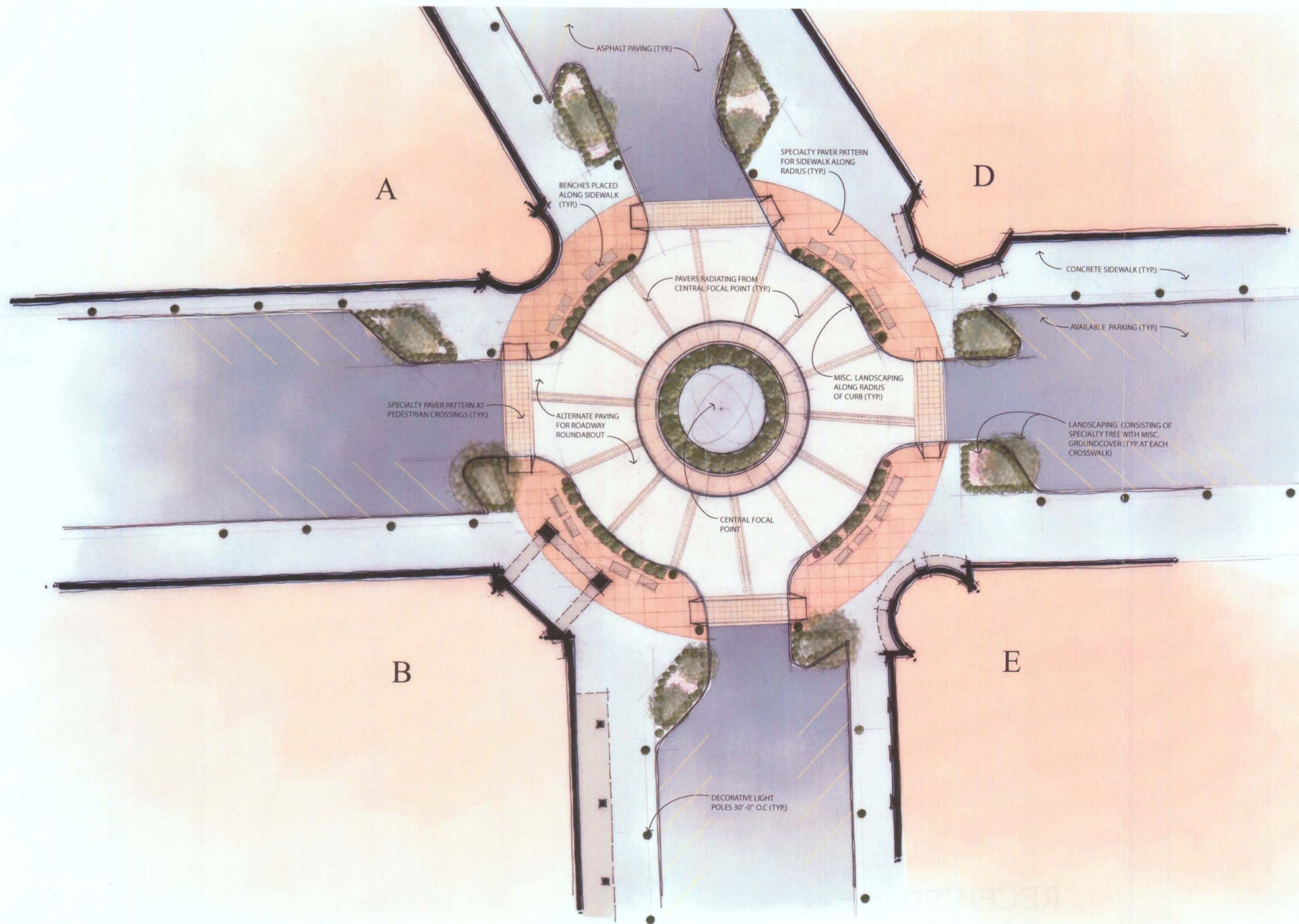
- PROJECT SIGNAGE
- CONTEMPORARY LANTERN LIGHTS
- PEDESTRIAN / AUTO FRIENDLY
- CAST CONC. W/ BRICK AND METAL STRUCTURE

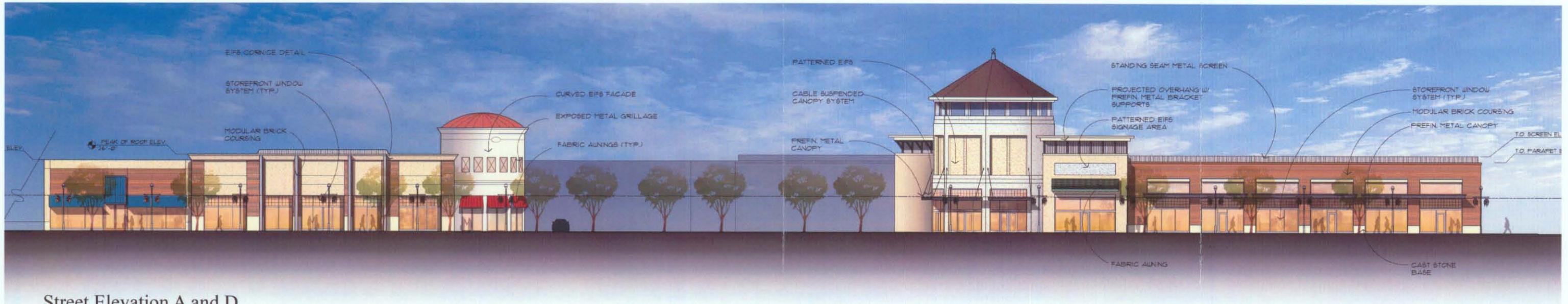
"MAIN FOUR" PLAN AREA**ARCHITECTURAL FOCAL REFERENCE**

- TALLER PARAPET HEIGHTS
- LARGER CANOPIES / PORCHES



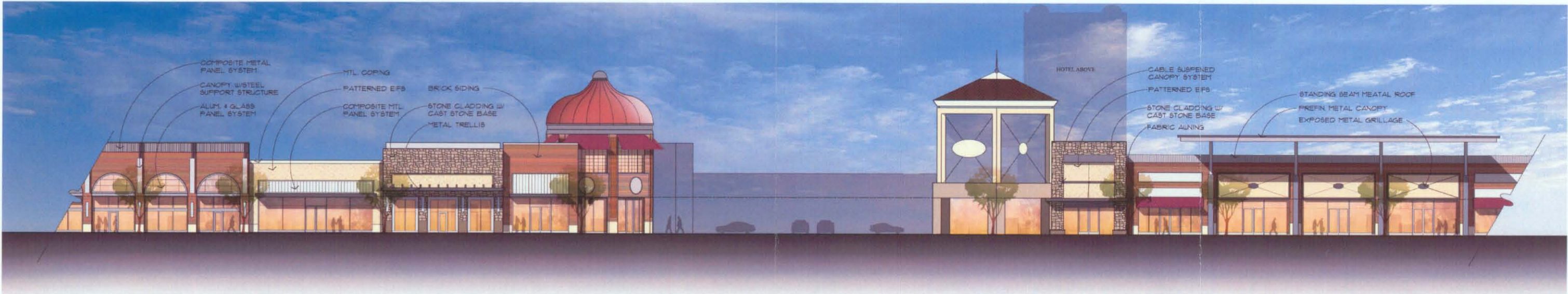






Street Elevation A and D

Scale: 1/16" = 1'-0"



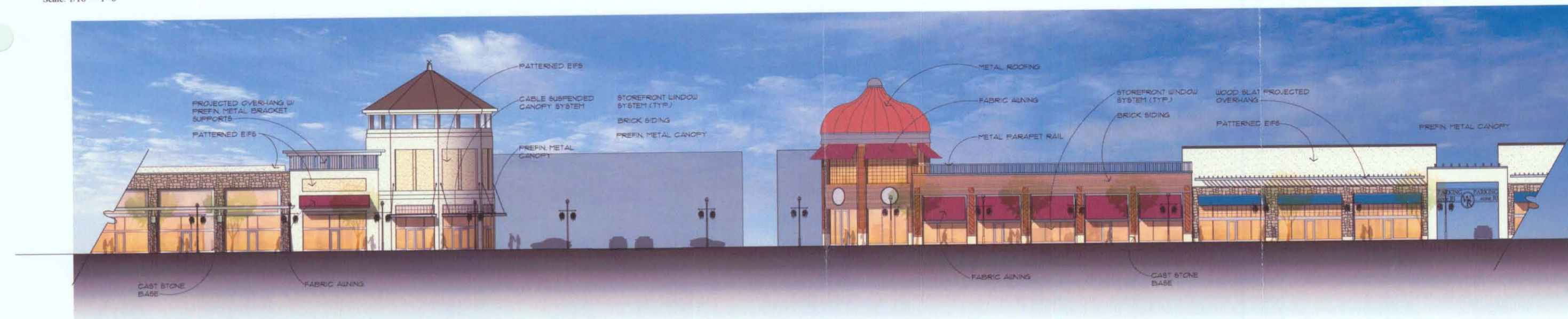
Street Elevation E and B

Scale: 1/16" = 1'-0"



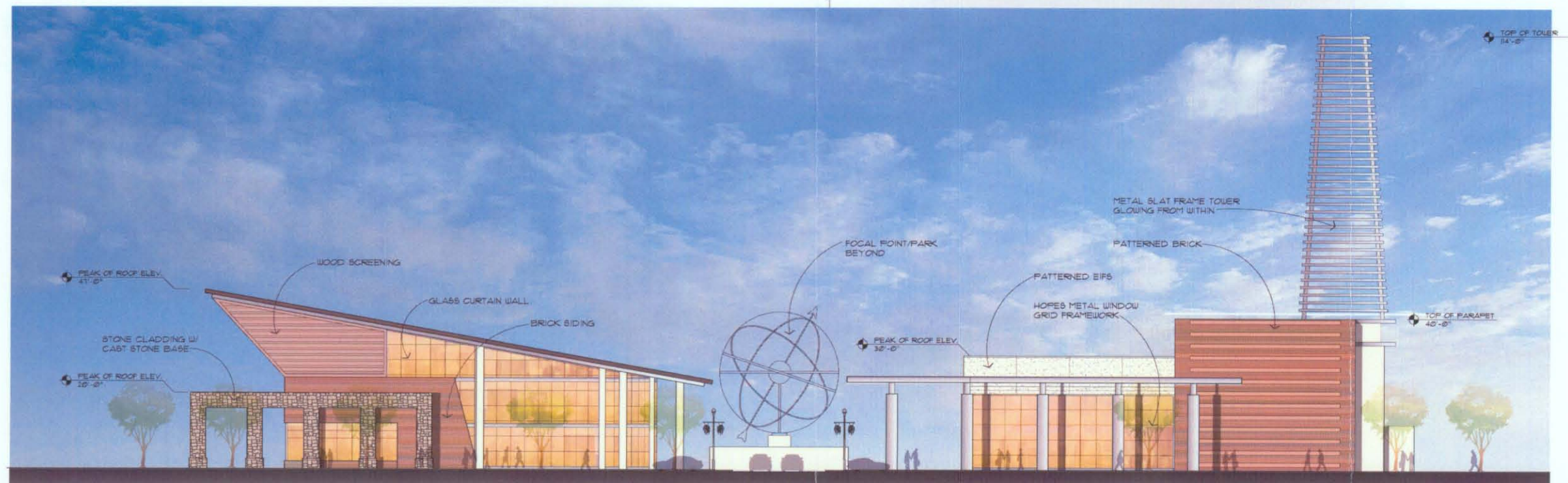
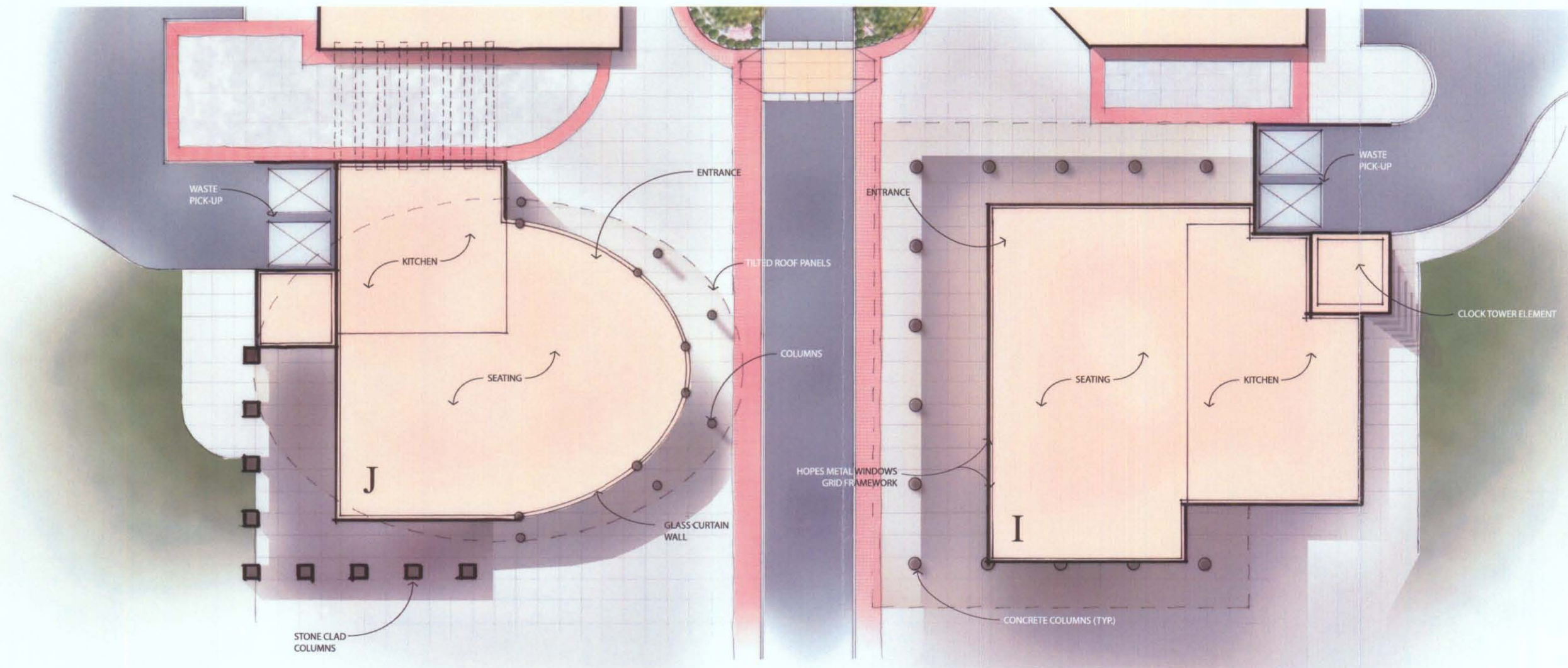
Street Elevation A and B

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Street Elevation E and D

Scale: 1/16" = 1'-0"











Design Goal

The primary goal of the project is to create a quality shopping destination as well as a community oriented environment which captures the spirit of the Williamsburg area.

Williamsburg Row is conceived as a unique development that creates a distinctive neighborhood based retail, food and office experience.

Recognizing the requirements of today’s fast paced lifestyle in the surrounding market, the automobile is a necessity but also compatible with a pedestrian friendly plan layout. Williamsburg Row will be based on a concept of contemporary interpretations of local neighborhood mainstreet architecture and shop style ambiance with automobile convenience.

The role of the design is to establish a cultural framework that allows Tenants to express their individual identities and brand presentations in a comfortable, convenient and interesting environment unique to the marketplace.

STORE FRONT DESIGN CRITERIA

Landlord’s Work

Landlord provides the architectural building framework with openings, structural columns and facade treatments at various heights and configurations per a contemporary interpretation of mainstreet design vernacular. Building facades include materials of brick, metal, stucco and precast stone with combinations of each as required. This will enhance the pedestrian scale and finish detail.

Tenant’s Improvements

Tenant’s work is required in order to allow the individual shops to express their unique identities and amplify their brand and visual presentation within the Landlord’s framework.

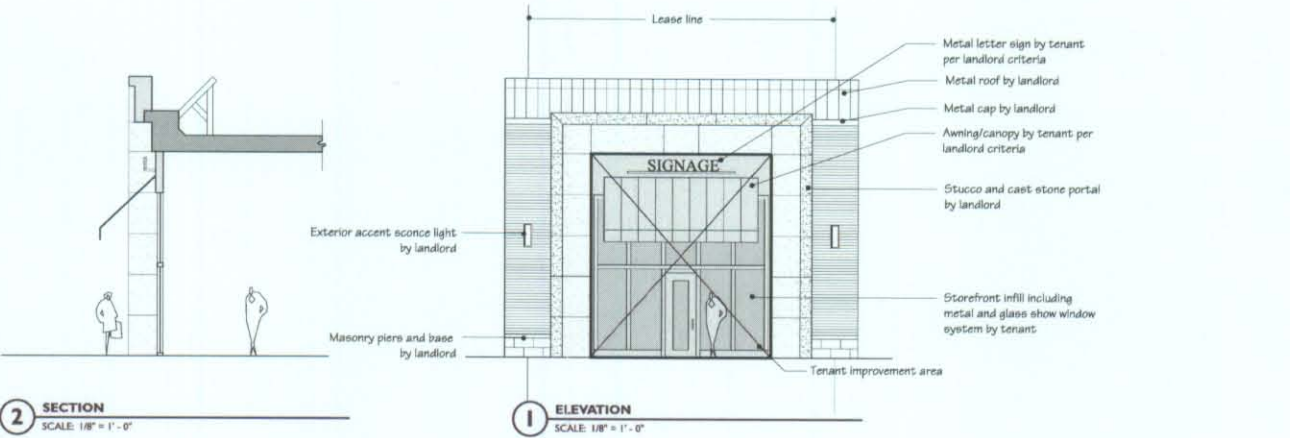
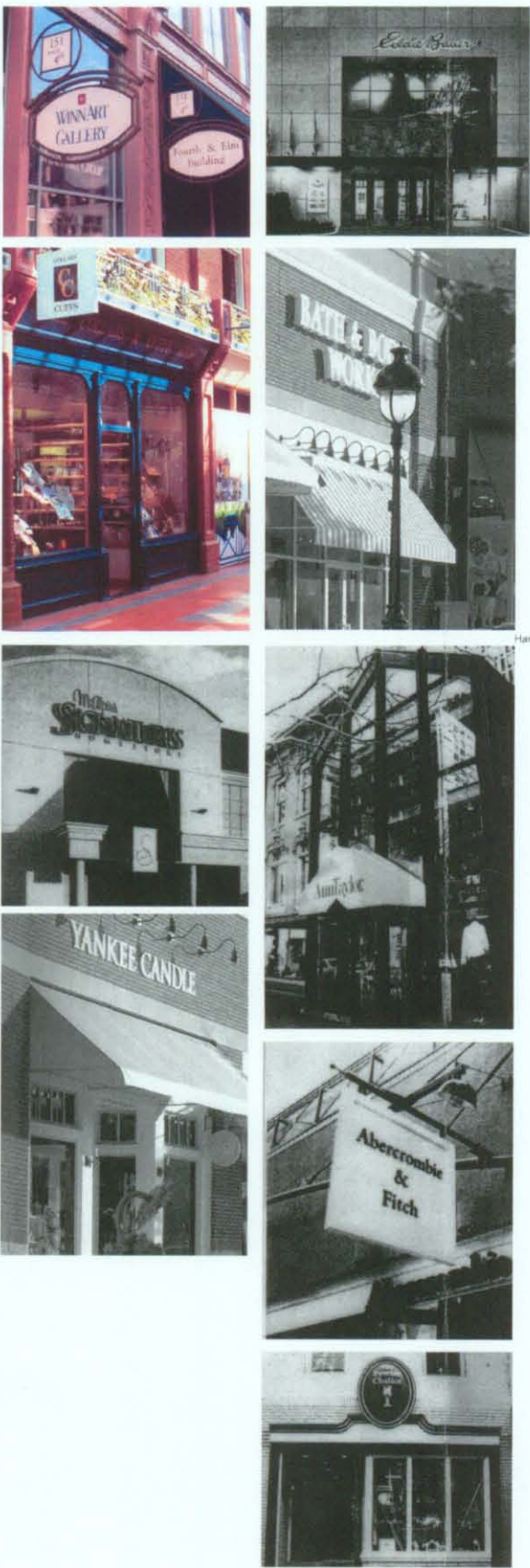
The Retail Experience

The shopper will be attracted by the simplicity of access to a broad range of goods and services within a community setting.

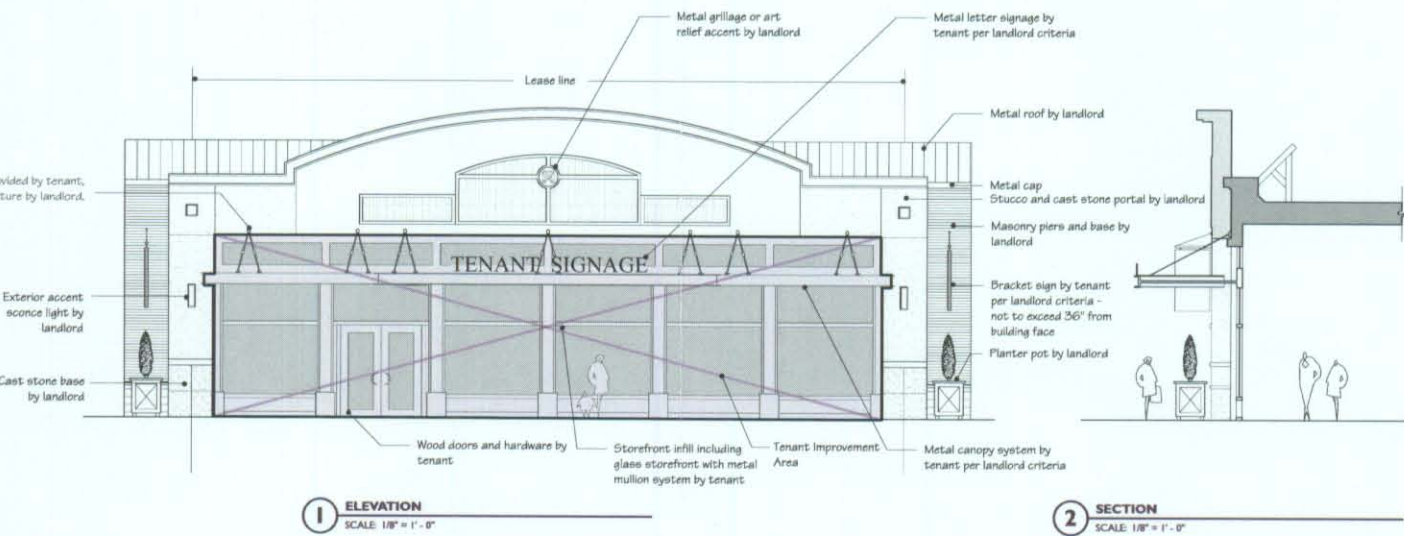
Individuality of Tenant storefronts emphasizing quality materials of brick, stone, metal, canvas awnings and creative signage brings a comfortable pedestrian scale to an open air environment. Creative pass-through pathways lead the shopper from parking areas to shopfronts. Illuminated walkways along tree lined drives, small gardens and a pocket park encourage pedestrian movement to search out and discover the various shops and services available. Overhead trellis, canopies and canvas awnings provide weather protection and add to the individual Tenant identity and retail variety.

The retail neighborhood will be enhanced by places to sit and relax within landscaped zones surrounded by a retail community that will become an important part of the surrounding area for years to come.

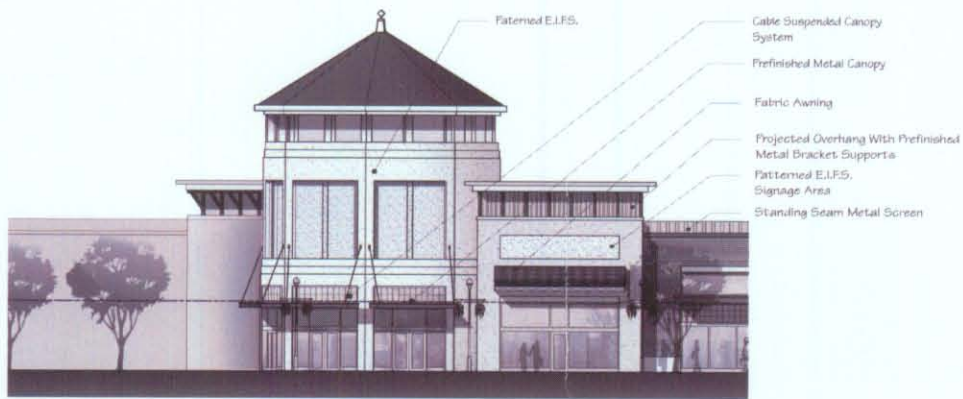
Examples and Inspirations



Smaller Tenant Improvements - A



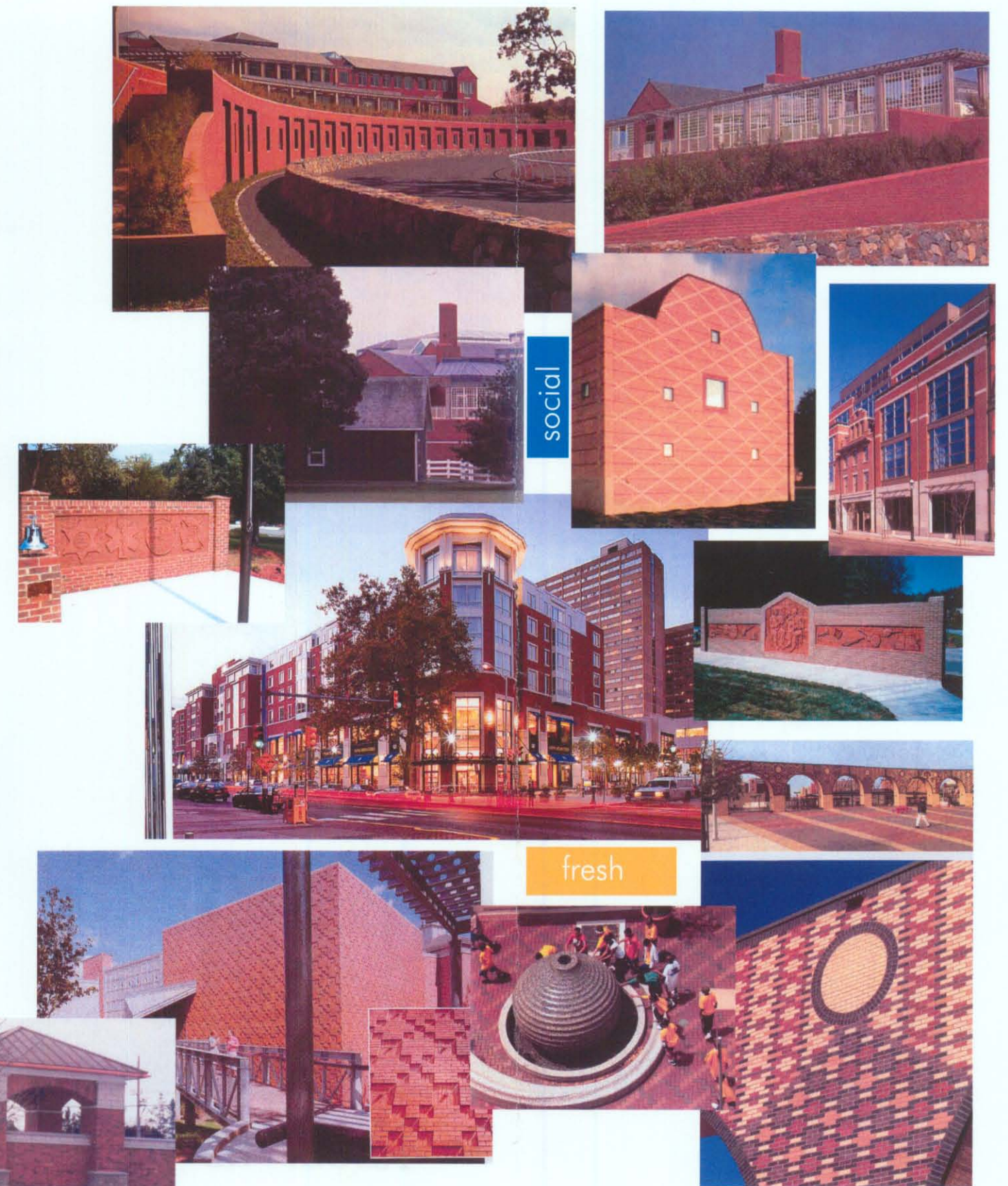
Larger Tenant Improvements - B

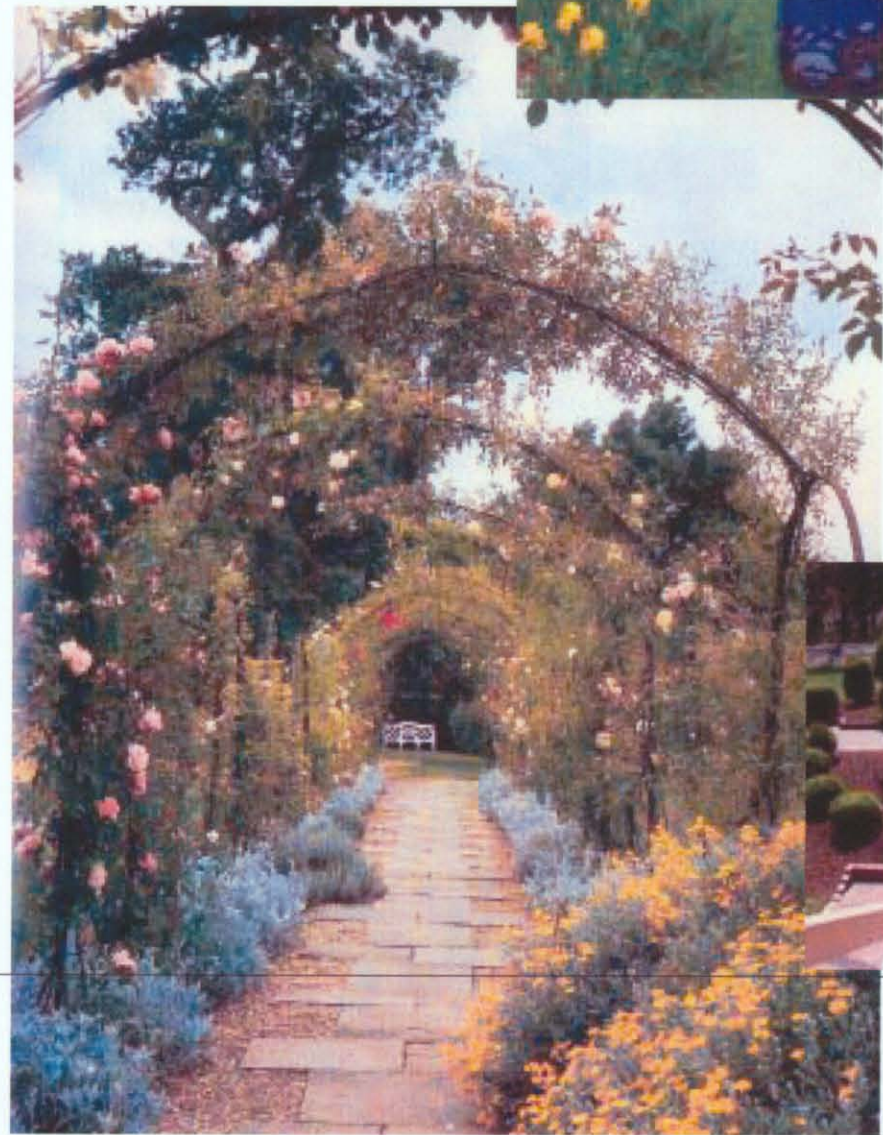
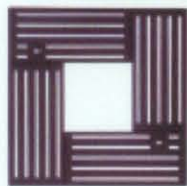
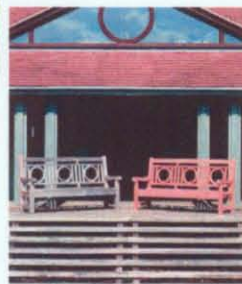


Corner Units

CONTEMPORARY INTERPRETATIONS OF

AMERICAN MAINSTREET VERNACULAR

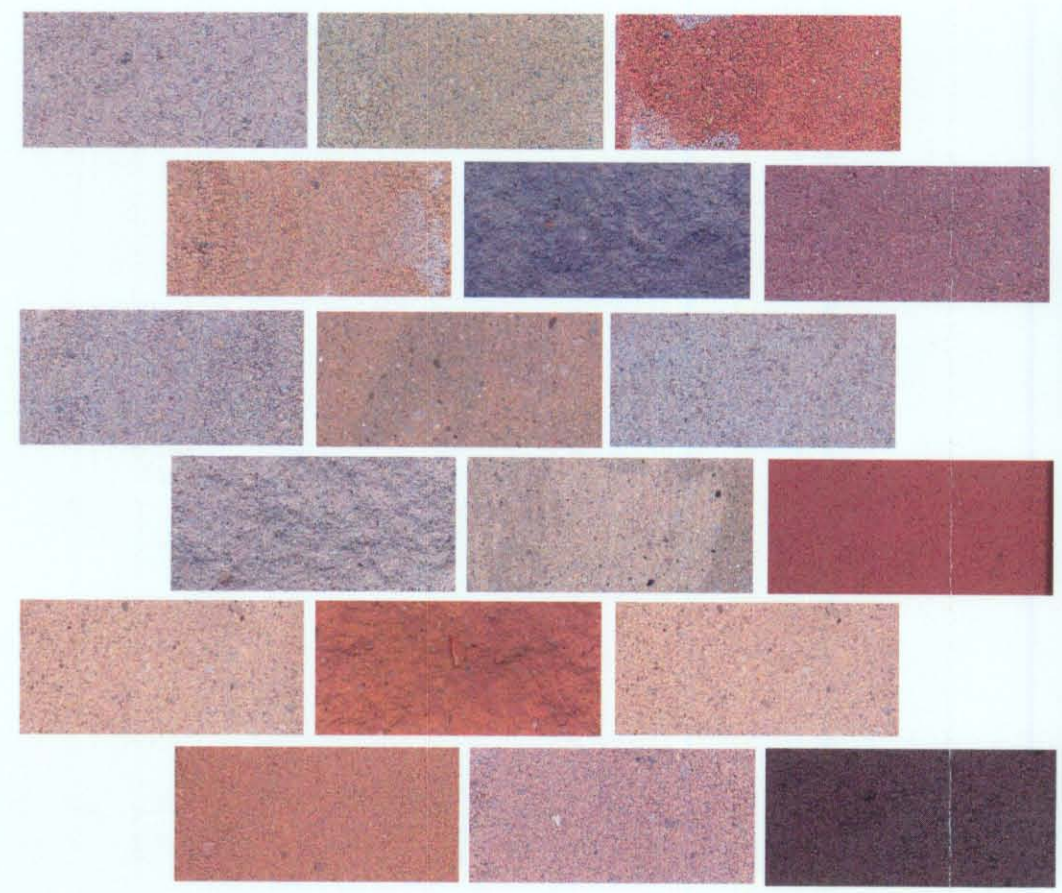




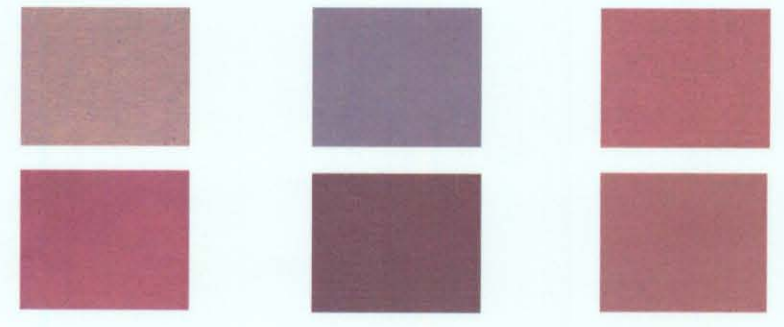
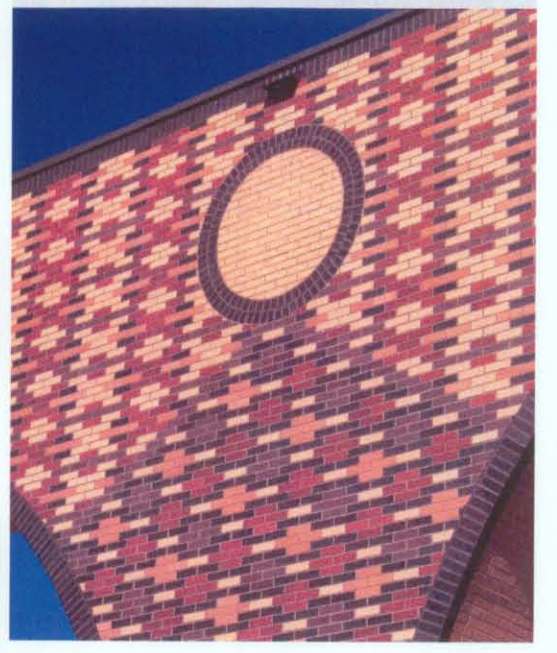
GARDENS & LANDSCAPING



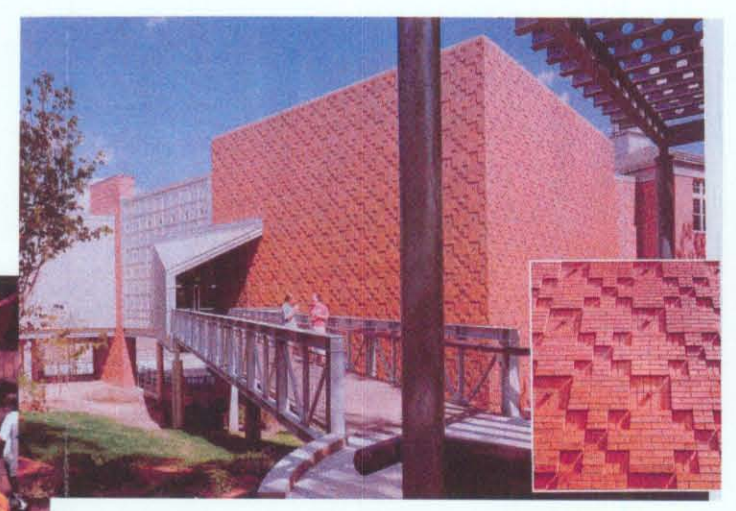
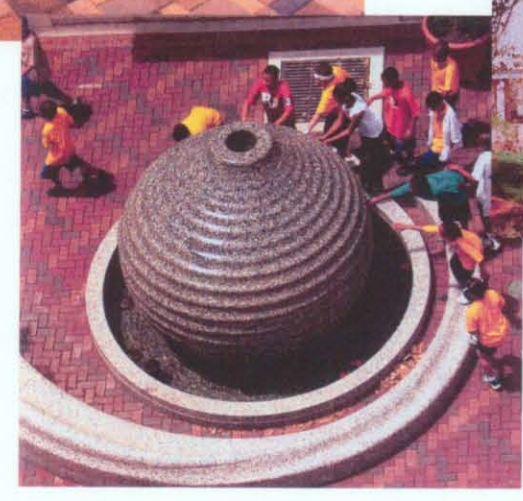
METALS



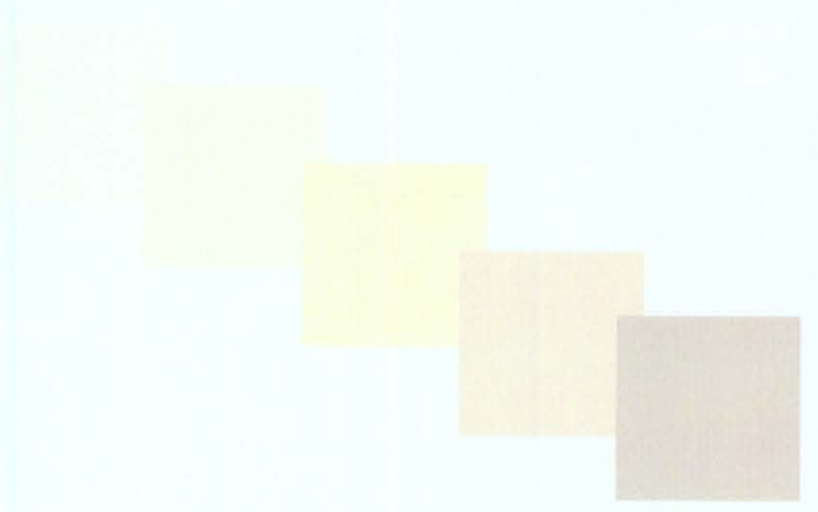
BRICK



BRICK PAVERS



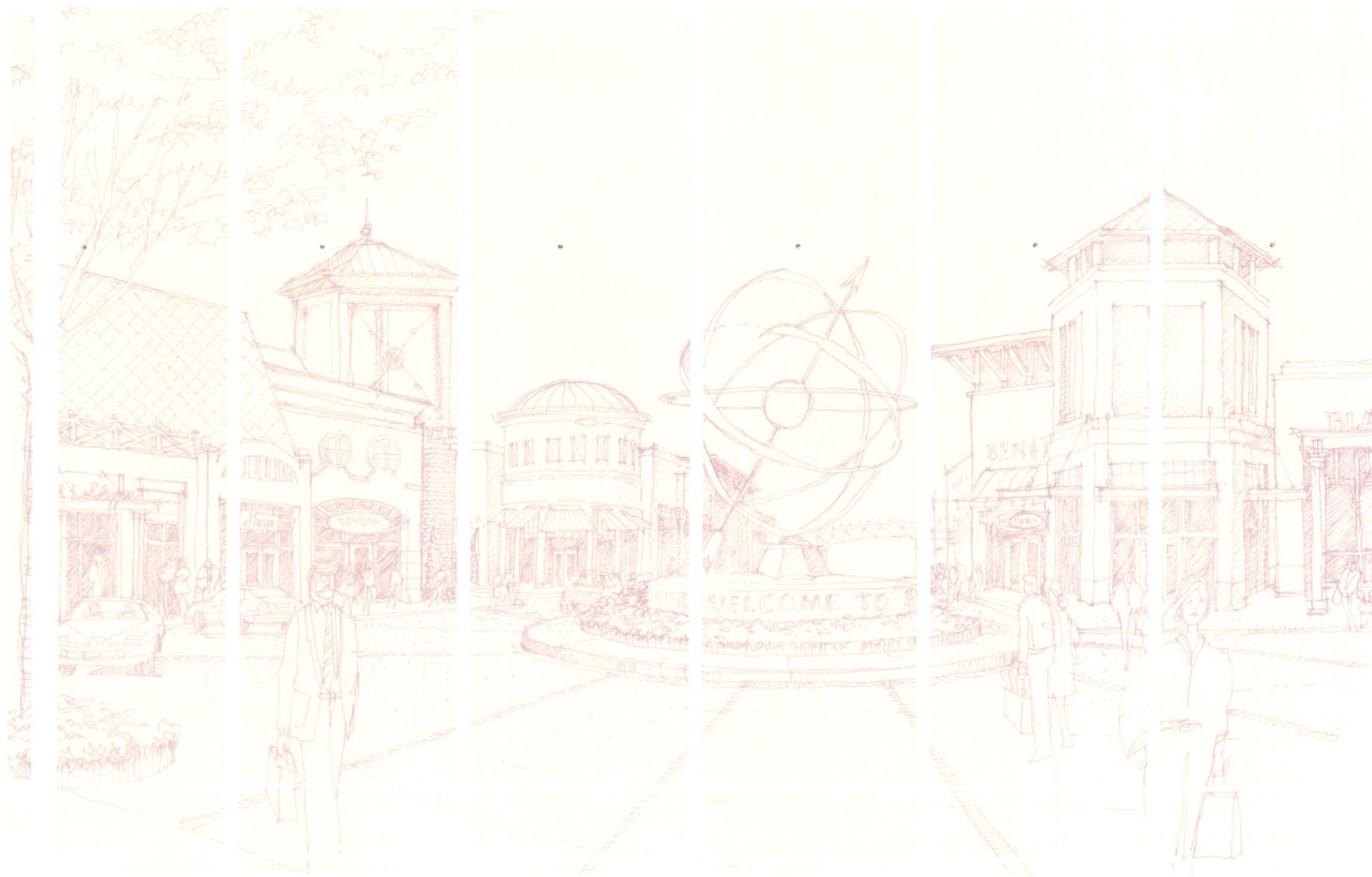
MATERIALS



PAINTS



STUCCO



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OCT 3 2005

PLANNING DIVISION
COUNTY OF YORK



 **JPRA ARCHITECTS**
248.737.0180 www.jptra.com

CITY SUBMITTAL - SEPTEMBER 30, 2005

THE MARQUIS
Williamsburg, VA

JOB# 1456

- "THE MARQUIS" PYLON
- FREESTANDING/MONUMENT
- PRIMARY DIRECTIONAL
- SECONDARY DIRECTIONAL

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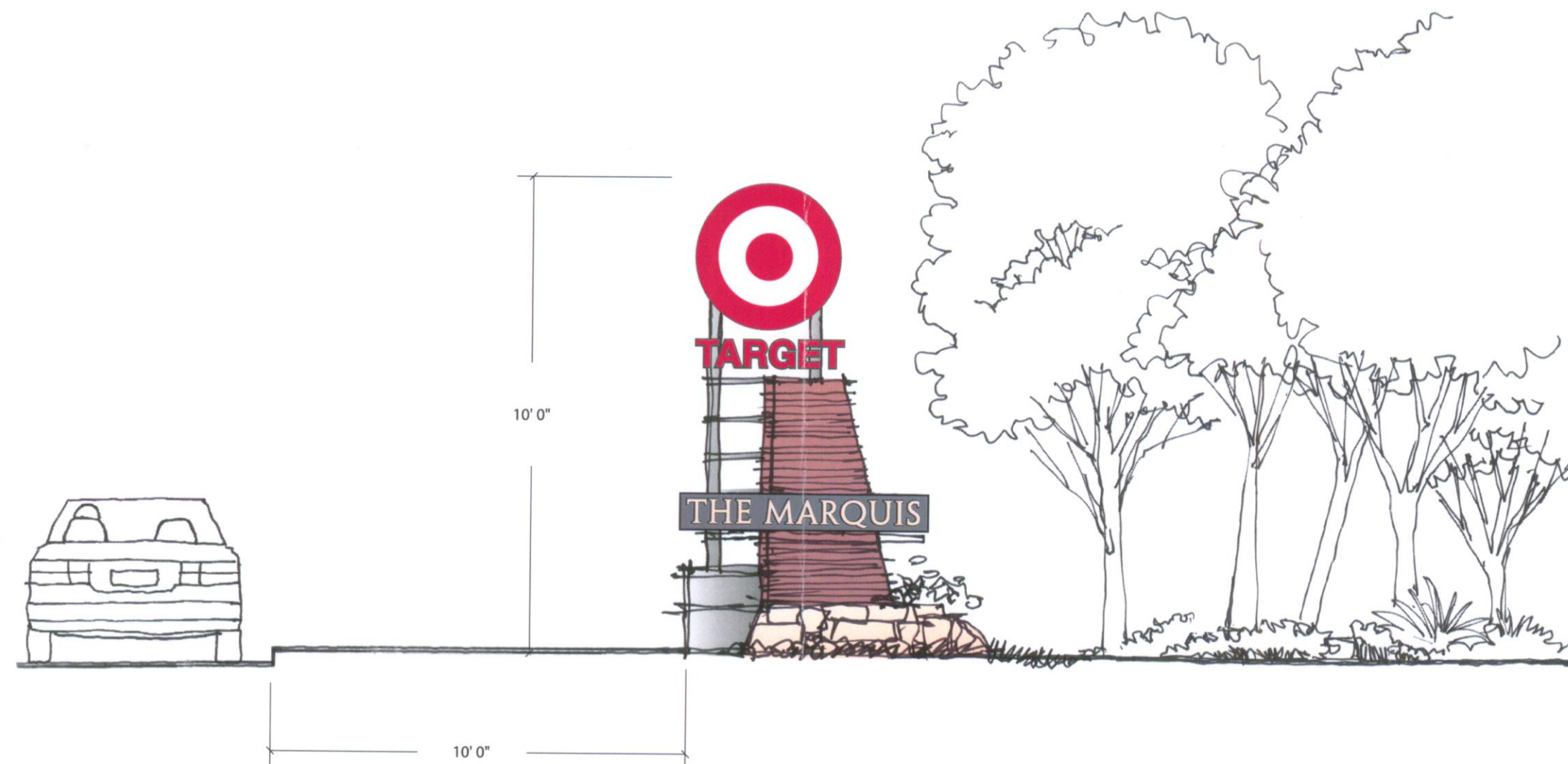
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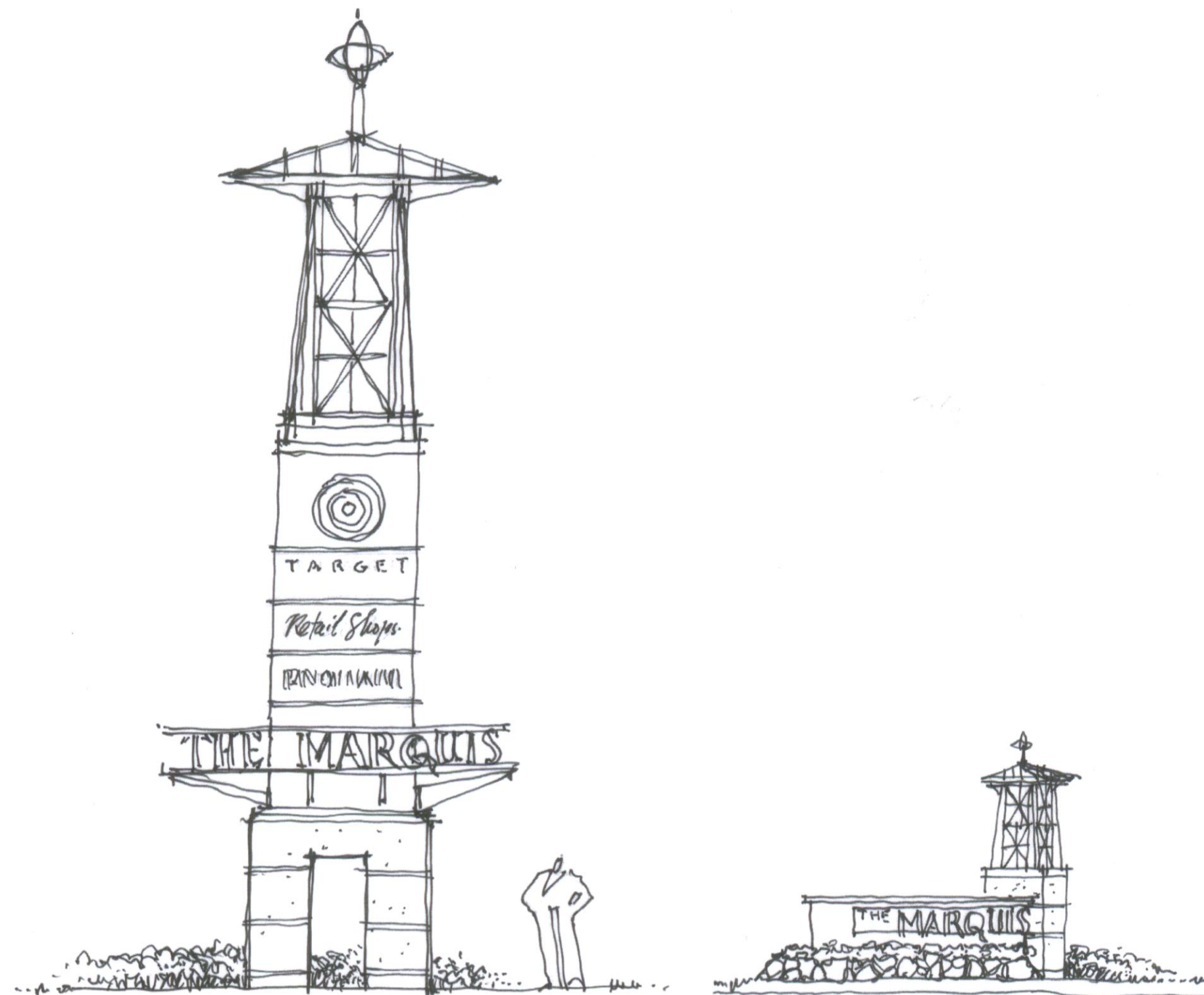


1 FREE STANDING MONUMENT SIGN
SCALE: 1/4" = 1'-0"

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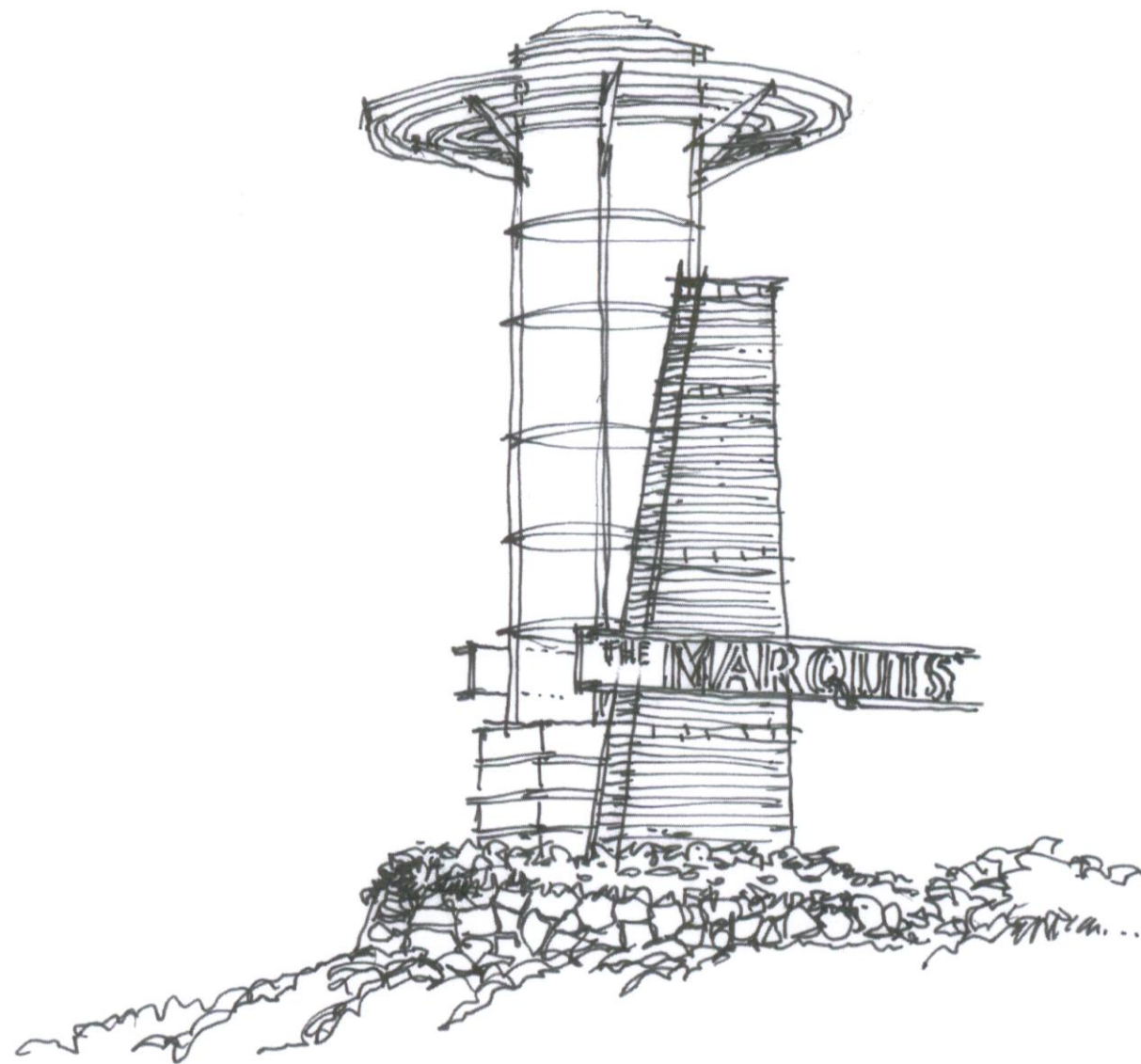
Proposed Pylon Icon/Sign
scale: $\frac{3}{16}'' = 1'-0''$ concept option - A

associated ground monument
scale: $\frac{3}{16}'' = 1'-0''$ concept option - A

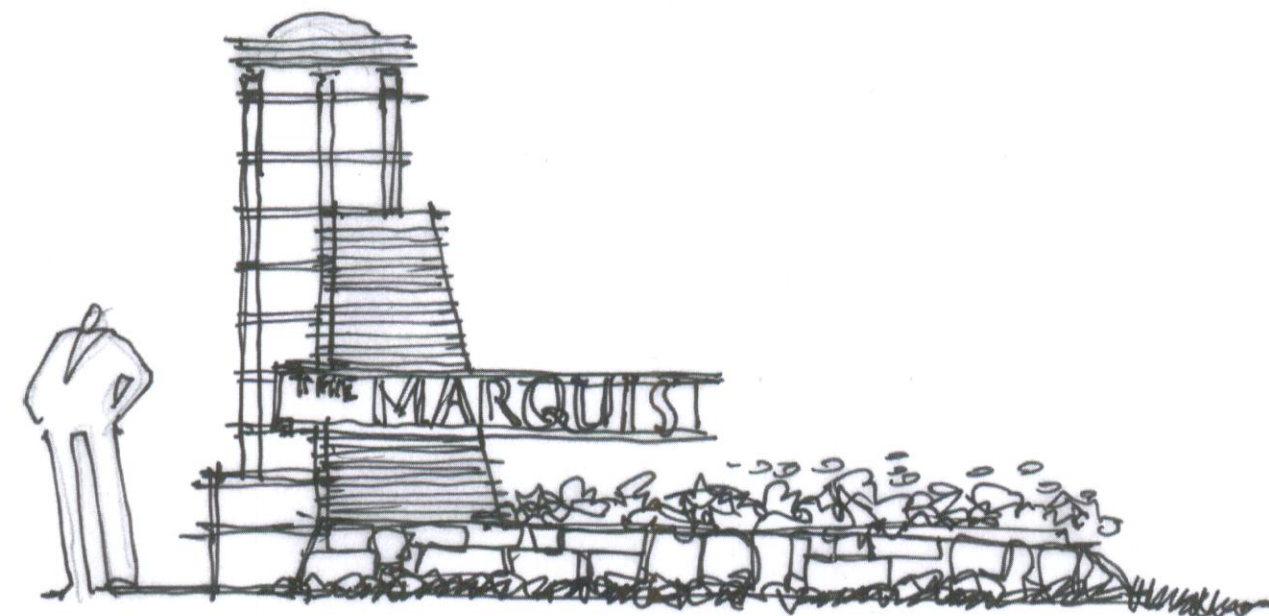
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Proposed Option for Pylon Icon/Sign
no scale concept option - B

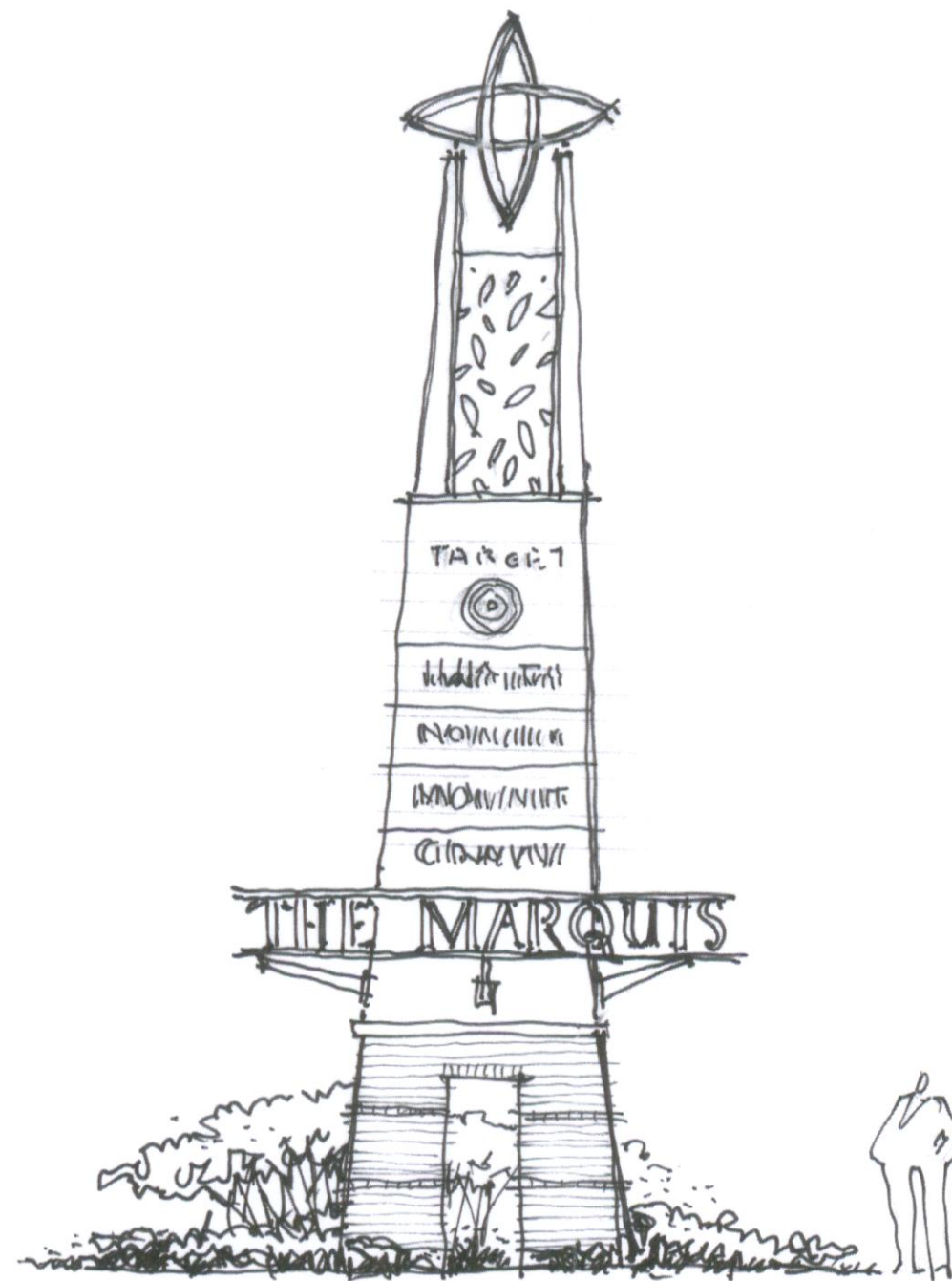


Proposed Secondary Identity
scale: 1/4" = 1'-0" concept option - B

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PLANNING DIVISION
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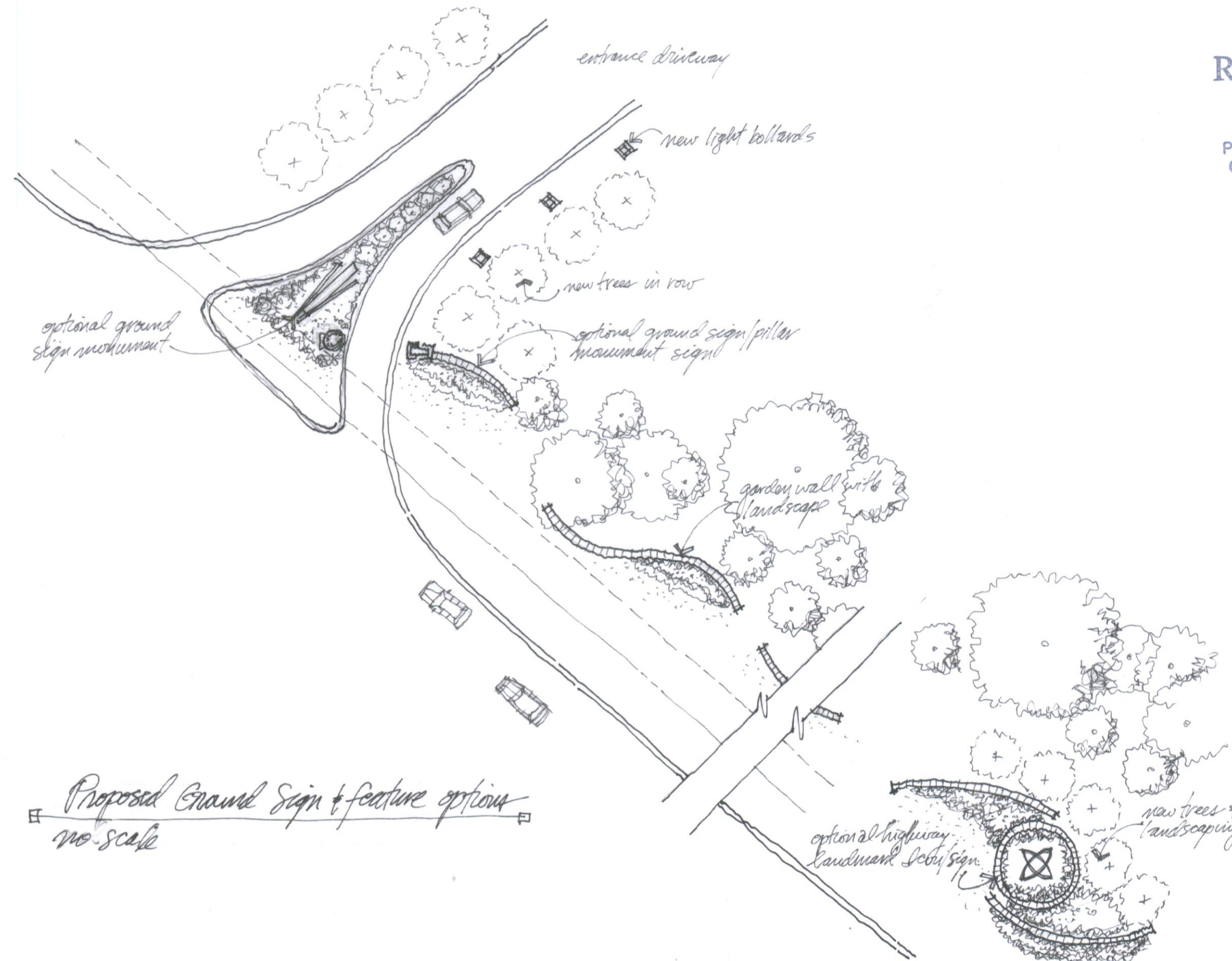


Proposed Pylon Sign/Sign
scale: 3/16" = 1'-0" concept option - C

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OCT 3 2005

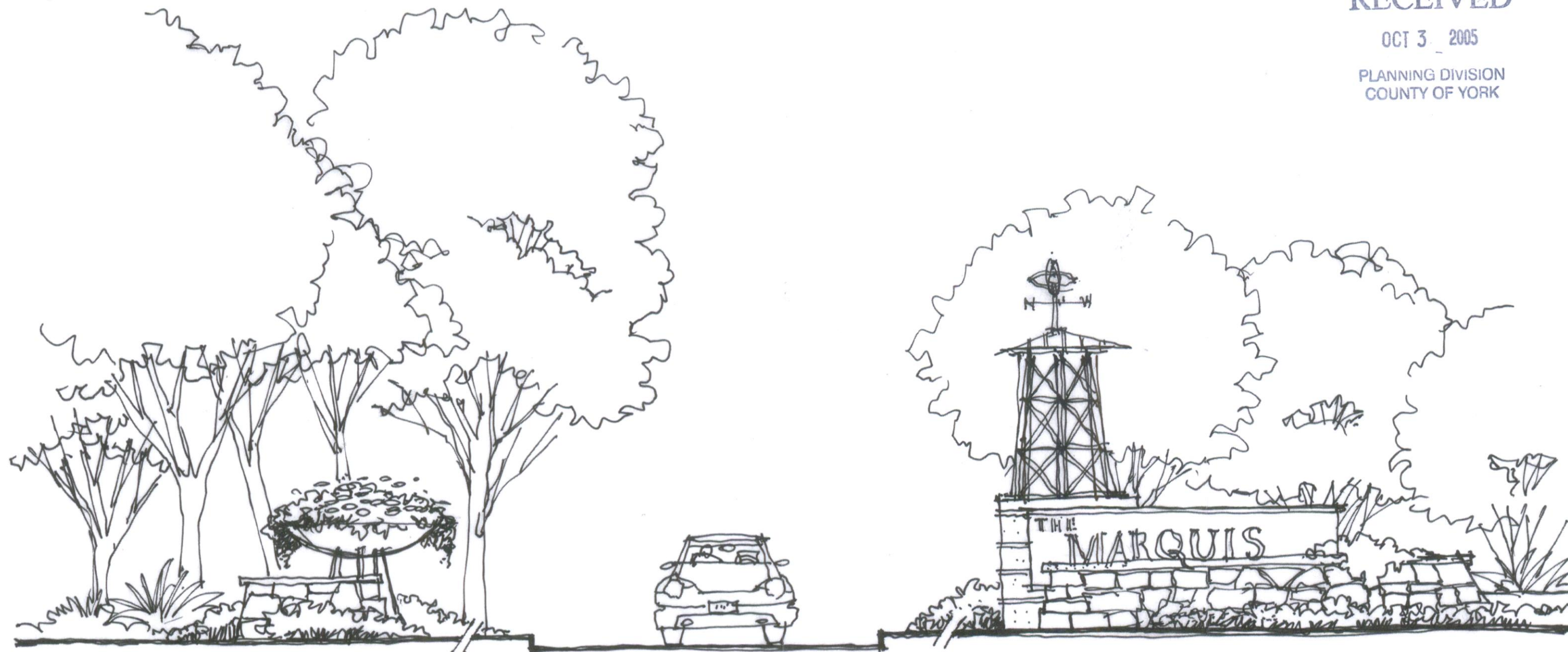
PLANNING DIVISION
COUNTY OF YORK



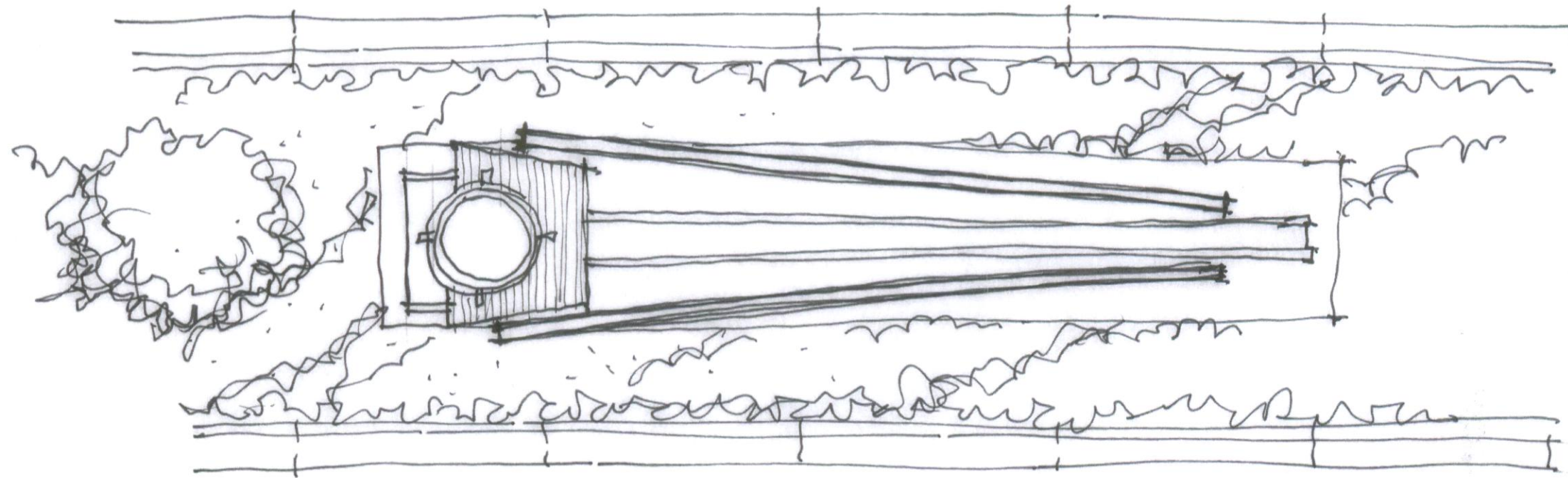
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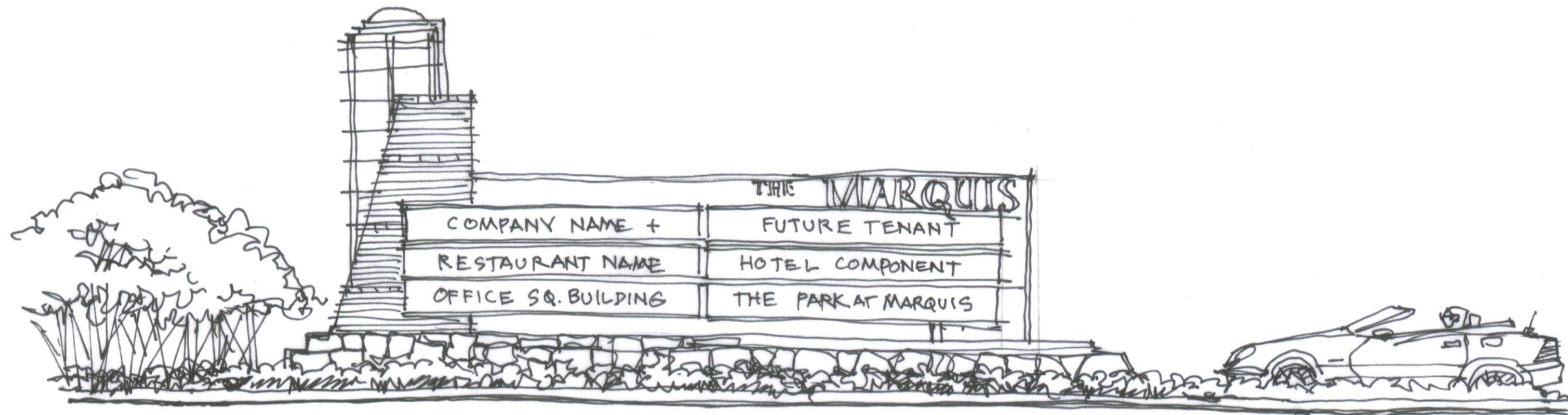
Proposed Entrance Monument & garden wall
scale: 1/4" = 1'-0" conceptual option - A



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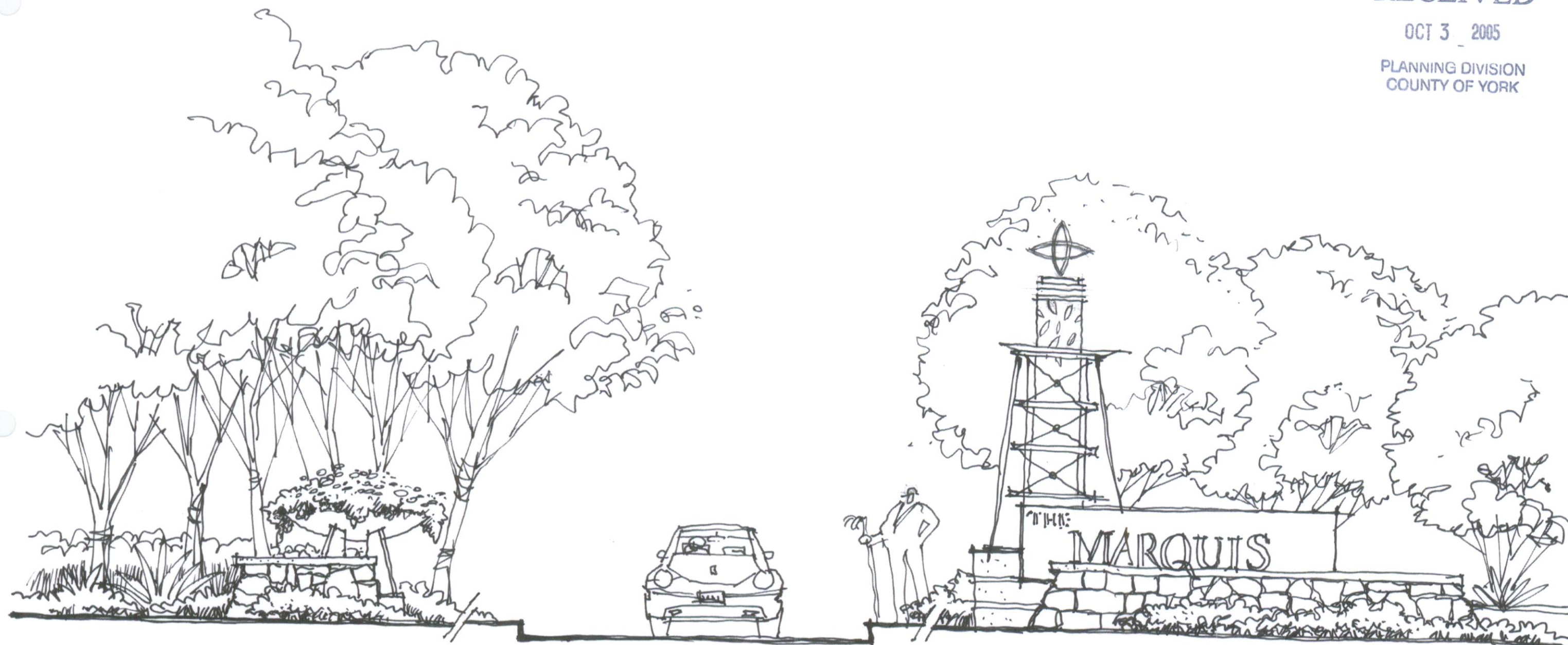


Proposed Secondary Identity & Directional
scale: 1/4" = 1'-0" conceptual option - B

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PLANNING DIVISION
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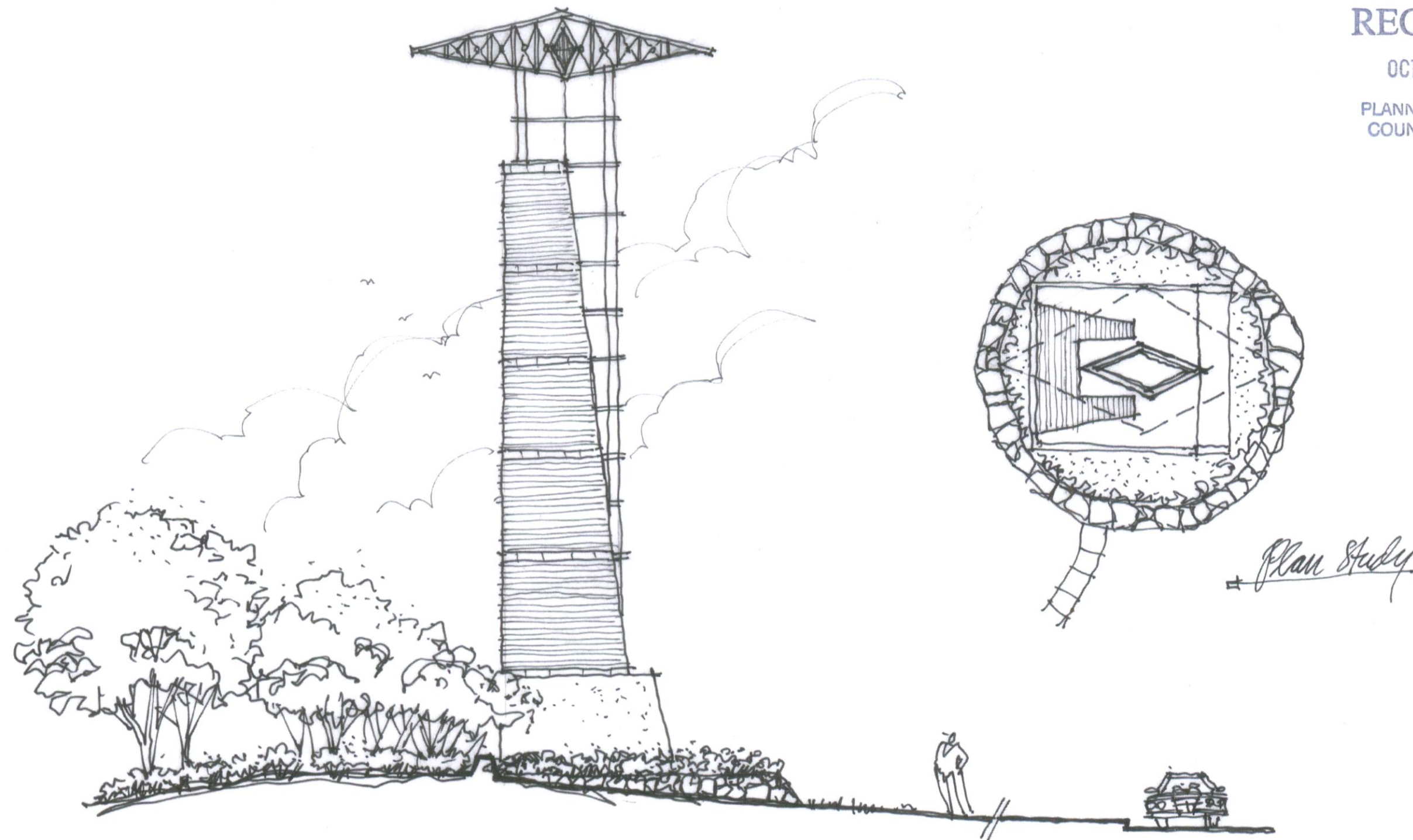


Proposed Entrance monument & garden wall
scale: 1/4" = 1'-0"
conceptual option - C

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OCT 3 2005

PLANNING DIVISION
COUNTY OF YORK

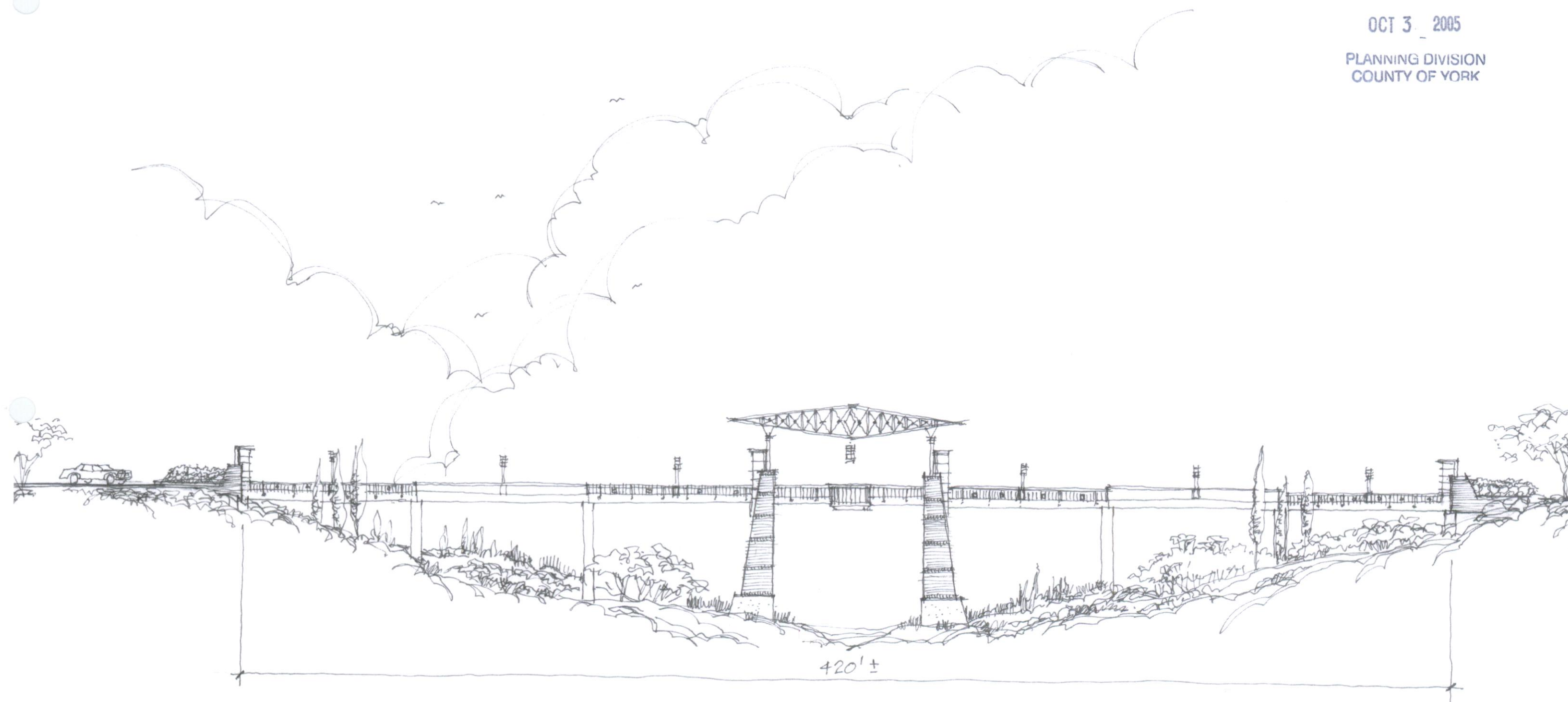


Proposed Highway Landmark Element
scale: 1/8" = 1'-0" Concept option - D

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COUNTY OF YORK

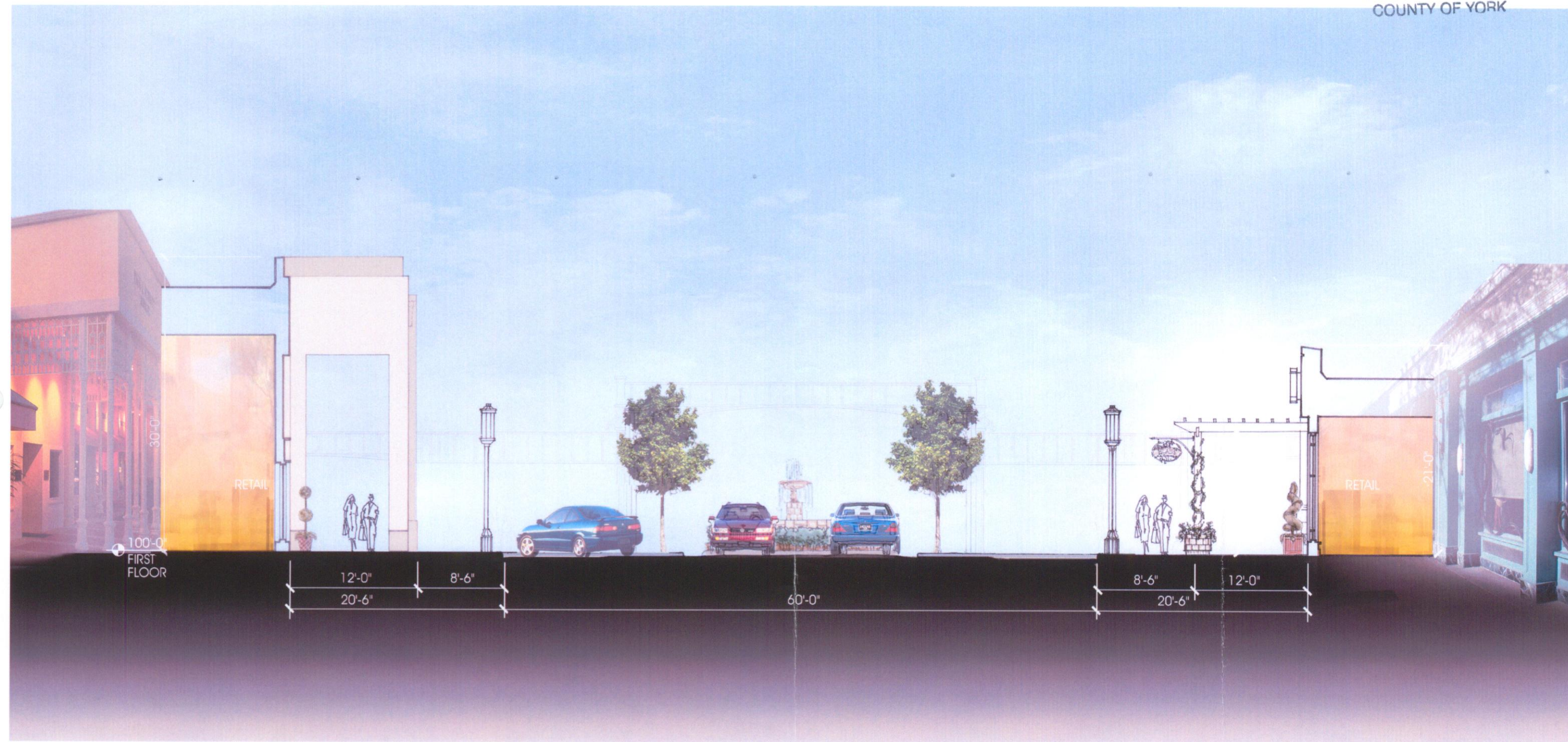


View @ proposed bridge connector
Scale: 1/32" = 1'-0"

RECEIVED

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PLANNING DIVISION
COUNTY OF YORK



Design Review Committee Structure

The Marquis

York County, Virginia

Committee Objective

In order to promote innovation, creativity, and architectural excellence in the design of the “The Marquis”, building, signage, and fencing architectural design shall be subject to review and approval by a designated Design Review Committee. Such approvals, whether for initial construction or for subsequent renovations/alterations involving the exteriors of existing structures, shall be granted based on conformance with the Design Guidelines (attached hereto) for the project (Design Guidelines approved as a condition of the Special Use Permit).

I. *Design Review Committee Structure*

- A. Seven (7) Member Panel - Experience or knowledge in one of the following preferred:
 - 1. Construction
 - 2. Design/ Architecture
 - 3. Real Estate / Shopping Center Industry
 - 4. Local Design Character / Historical Significance
 - 5. Prior experience involving group interaction and decision making
- B. Committee Selection – Two (2) members – one a York County Planning Commission member and one a York County staff member – to be selected by York County Board of Supervisors; Two (2) members to be selected by Premier Properties USA, Inc (PPUSA).; Three (3) members to be selected by mutual agreement of York County and PPUSA.
- C. DRC Member Requirements/ Responsibilities
 - 1. Attendance at regular meetings, and informal work sessions.
 - a. No less than five (5) members must be present to conduct business and take action at a DRC meeting or informal work session.
 - 2. For every site plan application submitted, the DRC shall meet twice. The first meeting shall be an informal work session for the DRC to critique the plans, and the second meeting shall be the “action” meeting at which the DRC will vote to approve or not approve the plans as submitted or as re-submitted after the initial meeting.
 - 3. Informal Work Sessions will consist of group discussions / interaction/critique of the design, material selection, function and appearance of the center.
 - 4. All DRC meetings will be in York County unless an alternate location is agreed upon by all members. Meeting times and dates are to be determined, but will be held in the evening unless determined otherwise by the DRC majority.
 - 5. Decisions shall be based on whether or not the plans are in conformance with the Design Guidelines and such other design-related conditions and standards as may have been established by the York County Board of Supervisors in conjunction with the Special Use Permit authorization for the project. The DRC may establish supplementary guidance to assist prospective applicants in achieving design approval, provided that such supplementary guidance does not conflict with or alter any of the basic Design Guidelines set out herein or in the Special Use Permit approval. Any proposed change in the basic Design Guidelines shall require review and approval by resolution by the York County Board of Supervisors

D. DRC Final Approval Meeting(s)

1. Five (5) DRC committee members must be present to form a quorum and to take action.
2. DRC members shall be notified seven (7) days in advance, via faxed or mailed written correspondence, of such meeting.
3. Premier Properties USA, Inc. shall submit to each DRC member five (5) working days in advance, copies of each of the following; site plan, sign plan (freestanding), building elevations (including color renderings) and performance features.
4. The DRC will vote to approve or not approve such plans based on meeting the conditions and criteria of the Design Guidelines and any design-related conditions stipulated in the Special Use Permit approval.
5. There must be a majority vote by the DRC for plans to be approved.
6. Appeals of decisions of the DRC shall be to the York County Board of Supervisors. Appeals of decisions of the Board of Supervisors shall be to the Circuit Court in accordance with the same procedures as set out in Section 15.2-2306 of the Code of Virginia.

Subsequent to completion of construction on all the authorized building pads within the project, the seven (7) member DRC shall be adjusted to a membership of three (3) – one member selected by the York County Board of Supervisors, one member selected by PPUSA, and one member selected by mutual agreement of the Board of Supervisors and PPUSA. The 3-member DRC shall then be responsible for reviewing and deciding the appropriateness of any proposed architectural modifications to existing structures within the project. Determinations of appropriateness shall be based on consistency with the Design Guidelines.

- E. Failure to construct in accordance with the plans and details approved by the DRC shall be considered a violation of the Special Use Permit conditions and shall be grounds for the County's denial of a Certificate of Occupancy for the subject structure.

Design Guidelines

Premier Properties USA, Inc. Project: The Marquis – York County, VA

PROJECT MISSION

The design and style of all buildings within the project shall conform to an architecturally compatible design theme that includes, but is not necessarily limited to, the use of consistent and compatible building materials, architectural features, colors, and building heights. The intent of the Design Standards and design review process is to create a harmoniously designed, first class retail center that both the residents of York County, and those visiting York County will be able to enjoy not only as a one of a kind shopping experience, but also as a unique and fun social and gathering place.

Architectural Guidelines (Buildings)

1. Building facades visible from public roads and by project customers (i.e., from circulation drives, parking areas or pedestrian ways) shall be of the highest quality, and will include, but not be limited to, the following:
 - a. Brick
 - b. Wood
 - c. Stone
 - d. Architectural steel / metal / aluminum products
 - e. Burnished masonry units
 - f. Glass
 - g. EIFS / Dryvit
2. Brick and brick type products shall be a prominent material for the project façades. No portion of a building façade visible from a public road or by center patrons (whether from pedestrian ways, vehicular circulation drives, or parking areas) shall be constructed of barren or unfinished concrete masonry unit (cinder block), corrugated material, sheet metal, or vertical metal siding.
3. The back of buildings (“Back of House” / “Service Areas”) may utilize standard painted masonry units for such areas where such facades are obstructed from view public streets and shopping center customers (pedestrian ways, vehicular circulation drives, or parking areas).
4. For buildings with flat roofs:
 - a. Parapet walls with materials consistent with the rest of the building shall be in place so as to obstruct the view of HVAC and mechanical equipment and the roof deck.
 - b. Roof drainage shall be contained with internal roof drains. No exposed gutters or downspouts are permitted unless they are obstructed from public view or such gutters are decorative in nature (copper, etc.)
5. Building façades greater than fifty (50') shall incorporate either wall plane projections or recesses, bay divisions, or decorative building appendages in order to break up large building masses.
6. Building color palette and materials shall be: consistent throughout the project; consistent with the “Materials Capsheet” (JPRA Architects, Page 15, August 31, 2005) submitted with SUP application; and consistent with the “Yorktown Color Palette” which shall be defined as those exterior colors represented by the “Preservation Exterior Palette” published by Sherwin Williams Company or on the “Williamsburg Collection” palette published by Martin Senour Paints, provided however, that this shall not be

construed to require the use of paints from these companies and color matches from other companies shall be acceptable..

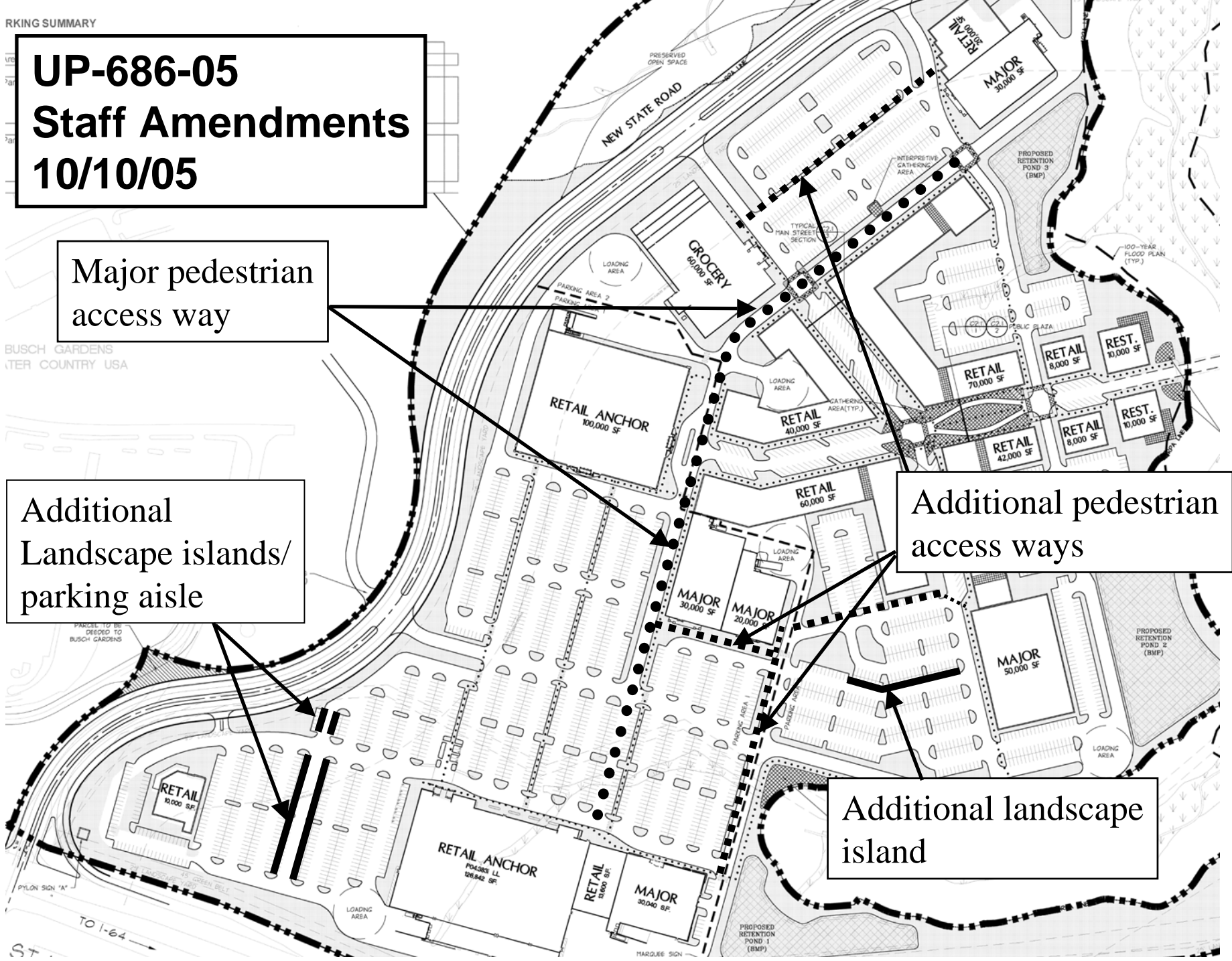
7. Freestanding/detached buildings (whether single or multi-tenant/user) within the project shall have clearly defined, and highly visible customer entrances featuring no less than three of the following:
 - a. Canopies or porticos
 - b. Overhangs
 - c. Recesses / projections
 - d. Raised cornices or parapets over the doors
 - e. Peaked roofs
 - f. Arches
 - g. Display windows
 - h. Elevate Storefront Glass (in excess of 14')
 - i. Integral planters or wing walls that incorporate landscaped areas and/ or places for sitting
8. Gas lines servicing roof top units, or any other gas line cannot be exposed (mounted) on the building. Such lines must be installed inside of the building, or in an exterior chase that is architecturally integrated with the building design .
9. Roof access shall be inside of the buildings, unless completely obscured from view from public roads, circulation drives, parking areas or pedestrian ways.
10. Building address identification shall be consistent throughout, and conform to the design theme.
11. All architectural, performance, parking lot, street lighting, and signage shall conform to the development design theme.
 - a. Parking lot lighting pole height shall be limited to 25' in height.
 - i. Illumination levels shall not exceed .5 foot candles at all external property lines.
 - b. All building and freestanding signage shall be internally lit provided however that the DRC may approve external illumination if by down-lighting/full-cutoff fixtures .
 - c. No exposed neon will be allowed for signage or building accent lighting.
 - d. Mercury vapor lighting shall not be permitted.
12. All parking lot cart corrals shall be designed with materials compatible with the project design. No outdoor storage of carts will be allowed unless appropriately screened from view.

Major pedestrian
access way

Additional
Landscape islands/
parking aisle

Additional pedestrian access ways

Additional landscape island



PLANNING COMMISSION
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Planning Commission held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2005:

Present

Vote

Alfred E. Ptasznik, Jr., Chair
Nicholas F. Barba, Vice Chair
Christopher A. Abel
Alexander T. Hamilton
John W. Staton
Anne C. H. Conner
John R. Davis

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL
USE PERMIT TO AUTHORIZE A RETAIL CENTER OF MORE
THAN 80,000 GROSS SQUARE FEET IN FLOOR AREA AT 165
AND 175 WATER COUNTRY PARKWAY

WHEREAS, Premier Properties USA, Inc. has submitted Application No. UP-686-05, which requests a special use permit, pursuant to Section 24.1-466(g) of the York County Zoning Ordinance, to authorize a retail center of more than 80,000 square feet of gross floor area on property located at 165 Water Country Parkway (Route 640) and a portion of 175 Water Country Parkway and further identified as Assessor's Parcel Nos.11-91 and a portion of 11-4-3; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the _____ day of _____, 2005 that Application No. UP-686-05

be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize a retail center of more than 80,000 square feet of gross floor area located at 165 Water Country Parkway (Route 640) and a portion of 175 Water Country Parkway and further identified as Assessor's Parcel Nos.11-91 (GPIN I13c-0012-1173) and a portion of 11-4-3 (GPIN H13b-3795-3227) subject to the following conditions:

1. This use permit shall authorize a retail center of more than 80,000 square feet of gross floor area located at 165 Water Country Parkway (Route 640) and a portion of 175 Water Country Parkway and further identified as Assessor's Parcel Nos.11-91 and a portion of 11-4-3.
2. A site plan prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the York County Department of Environmental and Development Services, Division of Development and Compliance, prior to the commencement of any construction activities on the subject parcel. Except as modified herein, said site plan shall be in substantial conformance with the plans titled "The Marquis, York County, Virginia," S.U.P. Re-submittal, Sheets C.01, C1.1, C1.2, C1.3, C3.1 and C3.2, prepared by Landform, dated September 30, 2005 and received by the Planning Division October 3, 2005 and Sheets 2.0, 2.1 and 2.2, received on October 10, 2005, and "Typical Main Street Cross Section, the Marquis," prepared by JPRA Architects, dated September 30, 2005 and received by the Planning Division on October 3, 2005. Building elevations shall be in general conformance with elevations titled "Williamsburg Row," sheet numbers 4 through 15, prepared by JPRA Architects, dated August 31, 2005 and received by the Planning Division September 23, 2003, and shall be subject to the design review and approval process set forth herein.
3. Prior to site plan approval, the applicant shall secure wetlands permits required under Chapter 23.1 of the County Code, and any permits or approvals required from the Army Corps of Engineers for development impacting wetlands.
4. All signage on the property shall be in conformance with Article VII of the Zoning Ordinance. Freestanding identification signage shall be limited to a single monument sign for each individual public street frontage bordering the property (Interstate 64, including the exit ramp; Route 199; Water Country Parkway, extended) and shall be in substantial conformance with the monument sign elevation titled "Freestanding/Monument, The Marquis," Sheet 3, prepared by JPRA Architects, dated September 30, 2005 and received by the Planning Division on October 3, 2005. Internal freestanding directional signage shall conform to Zoning Ordinance Section 24.1-707(r).
5. Pedestrian access and parking lot landscape dividers shall be located as depicted on the plan sheet labeled "Staff amendments," Sheet C2.2 and dated October 10, 2005, a copy of which is included in this resolution by reference. The ultimate

site design shall also include any additional pedestrian ways and/or landscape dividers as may be deemed required in the course of final site plan review. The pedestrian access way labeled “major pedestrian access way” shall be designed as a minimum 15-foot wide landscape island containing a minimum 5-foot wide sidewalk adjacent to a minimum 10-foot wide landscaped area. All other delineated pedestrian access ways shall be designed as minimum 10-foot wide islands containing minimum 4-foot wide sidewalks adjacent to minimum 6-foot wide landscaped areas.

6. Prior to application for site plan approval, a design review committee, formed and governed by the document “Design Review Committee Structure” dated October 6, 2005, and made a part of this resolution by reference, shall be established for the review and approval of proposed building and signage plans. Site and building plans shall conform to the Design Guidelines section of this document and such other standards as are established herein.
7. Access to the proposed development shall be as generally depicted on the conceptual plans referenced in Condition #2 above. Such access arrangements from Route 199 and the proposed connections with the Grove Interchange ramp system of Interstate 64 shall be subject to review and approval by the Virginia Department of Transportation and by the Federal Highway Administration in accordance with the prescribed procedures and requirements of those agencies. The adequacy of the proposed traffic network shall be documented and analyzed in a Traffic Impact Study prepared in accordance with all applicable standards for such studies. The Traffic Impact Study shall document the improvements necessary to serve the needs of the proposed development and to maintain traffic conditions on the adjacent roadways at Levels of Service (LOS) C or better. The improvements necessary to accommodate the traffic impacts of the proposed development shall be the responsibility of the applicant. In the event transportation system improvements cannot be designed to accommodate the proposed amount of retail development and achieve the LOS standard, then the size (floor area) of the proposed commercial space shall be reduced accordingly from that depicted on the Concept Plan.

The proposed main access road, which is depicted on the Concept Plan as a “New State Road,” shall be designed to meet all applicable standards of the Virginia Department of Transportation and, in the event of approval of a connection to the Interstate 64 ramp system, the Federal Highway Administration. The road shall be designed as a limited access facility with no breaks on its north side other than a possible service/employee access connection to Water Country USA, and a possible pull-off/parking area to provide access to any interpretive area established in conjunction with the historic/archaeological resources to be preserved, both subject to VDOT’s review and approval. Access breaks (entrances into the proposed development) on the south side shall be as depicted on the referenced concept plans, subject to review and approval by VDOT as to design, geometrics and traffic control/signalization.

In the event the connection to the Interstate 64 ramp system is not approved by VDOT and/or the Federal Highway Administration, or is still under review at the time the applicant wishes to commence detailed design and engineering work for the Phase I development, the applicant shall be responsible for demonstrating the adequacy of the Route 199 access point to serve as the sole access to the proposed Phase I development. Such documentation shall be provided through the submission and approval of a Traffic Impact Study prepared in accordance with all applicable standards for such studies. In addition, the applicant shall be responsible for securing a commitment from VDOT that the Phase I main access road will be eligible, upon completion, for acceptance by the Virginia Department of Transportation. In the event the road will not be eligible for acceptance by VDOT, it shall be considered a private road/commercial access and all future maintenance responsibility shall rest with the applicant/developer.

The referenced Traffic Impact Studies shall accompany any site plan submissions for the proposed development. Site Plan approval shall be contingent upon approval of the Traffic Impact Study by VDOT and, as necessary, the Federal Highway Administration. No Land Disturbing Activity Permits shall be issued for the proposed development unless the Traffic Impact Study and roadway design has been approved.

8. Except as noted herein, preservation of historic resources on the property shall be fulfilled in accordance with the applicant's historical resources summary received by the Planning Division on October 3, 2005, which is included in this resolution by reference.

Prior to any clearing or grading activities in the area of historical resources site nos. 394, 396 or 1026 as identified in the report "Phase II Archaeological Significance Evaluation of Sites 44YO0394, 44YO0395, 44YO0396, and 44YO1026 at the Whittaker's Mill Tract in York County, Virginia," prepared by James River Institute for Archaeology, Inc., dated August 2005 and received by the Planning Division on September 1, 2005, a Phase III archaeology study shall be conducted in accordance with Virginia Department of Historical Resources (VDHR) guidelines. This shall include full recovery, documentation and archiving of all found historical artifacts on the site. Artifacts shall be archived at an antiquities repository facility constructed in accordance with applicable VDHR curation guidelines (36CFR, part 79), and shall be available to the public for educational and research purposes. In coordination with the County and VDHR, the applicant shall initiate application to the VDHR for nomination of preserved eligible sites to the National Register of Historic Places.

There shall be no disturbance of the gun emplacement/redoubt located within site No. 394 as identified in the above-referenced Phase II archaeological report, and a 50-foot undisturbed buffer shall be maintained surrounding the feature. Said

buffer shall be delineated on approved site and grading plans, and shall be clearly demarcated on-site prior to clearing or grading activities in its vicinity.

Prior to site plan approval, an easement shall be established for the perpetual preservation of historical sites over the area so referenced on plan Sheet C1.2. The easement area shall also include the undisturbed buffer associated with the gun emplacement/redoubt area referenced above. Said easement shall be granted to the County or other public or non-profit organization dedicated to the discipline of historic preservation and associated public education, and shall contain provisions for the maintenance and protection of historic sites and interpretive facilities as referenced herein.

No later than at time of completion of the proposed state road within the Phase I portion of the subject site, the applicant shall be responsible for the construction of an interpretive building in the area of site Nos. 394/395, as identified in the above-referenced Phase II archaeological report, for the purpose of displaying educational information, including, but not limited to, photographs and text describing the artifacts and the associated history of the site. The County, in coordination and cooperation with VDHR and the Virginia Association of Museums, shall approve the proposed architecture, size, location, and interior design of the building.

9. Free standing and building lighting shall be full cut-off fixtures that are shielded and directed downward and level to the ground to prevent off-site illumination. Freestanding light poles installed to illuminate parking lot areas shall not exceed 25 feet in height. Freestanding signage shall be internally lit, except where exterior lighting is directed downward and fully shielded. Illumination levels shall not exceed 0.5-foot candle at any exterior property line. Neon lighting exposed or contained within non-opaque fixtures shall not be permitted for signage or for building or other structure accents. All lighting schemes and lighting fixtures shall be consistent with the lighting recommended by the Illumination Engineering Society of North America (IESNA). Acceptable light sources shall include incandescent and metal halide lamps, and should produce a color temperature close to daylight. Other sources may be approved by the Design Review Committee; however, mercury vapor sources are not permitted.
10. A 45-foot wide undisturbed landscape buffer shall be maintained abutting the western border of the property adjacent to the Route 199 and I-64 rights-of-way, including the interstate exit ramp.
11. Outdoor storage of retail goods or other materials shall not be permitted.
12. Rooftop HVAC, electrical and similar utilities shall be screened from view of any street right-of-way, circulation drive, parking area or pedestrian way.

13. Calculation of minimum required parking spaces shall be exclusive of spaces utilized for cart storage uses. Parking areas that are located along public right-of-way frontages shall be appropriately screened/buffered from view using fencing, walls (maximum 42 inches in height), or hedges.
14. In accordance with the provisions of Section 24.1-115(d) of the Zoning Ordinance, significant modifications to this approval as determined by the Zoning Administrator shall require that a new use permit application be submitted for review. Modifications can be administratively approved if the Zoning Administrator determines the modification to be minor.
15. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this special use permit shall be recorded prior to application for site plan approval at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.